California Journal

The Monthly Analysis of State Government and Politics

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Treasurer Jesse Unruh – leadership on ice

California's housing crisis

Special Section: Primary Election Analysis

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Personal PERSPECTIVE

By Ed Salzman

A Jaws II hit list

Governmental atrocity-story season is here again. Two years ago, California voters were warned that they would lose vital governmental services if they voted themselves the $7 billion property-tax cut known as the Jarvis-Gann initiative. The voters decided to vote their pocketbooks. Now, with Jarvis II or Jaws II on the June ballot, the opponents of the $5 billion income-tax cut are selling much the same story. Only this time, there won't be as bountiful a cornucopia in Sacramento to keep government moving. And Howard Jarvis is wrong when he says that windfall oil income will solve the problem.

The real issue facing the voters in June is just what they will lose if they vote their pocketbooks again. They can't expect a straight answer from the opposition because campaign rhetoric hardly ever gives a true picture. This time around, state and local government would have to undergo surgery that goes much deeper than skin and fat. Those who partake of state and local services in the health, education and welfare areas will suffer. But how much?

The state budget of about $20 billion will have to be cut some $4 billion if Proposition 9 is approved. That's because there probably will be a surplus of at least $1 billion to offset part of the income-tax loss. Here are some possibilities for the remaining $4 billion:

- Eliminate all cost-of-living elements from the budget — including pay raises for all state employees, benefit increases for those on welfare, and fee hikes for health-care providers. Saving: Almost $1.7 billion.
- Cut about half of the state expenditures for property-tax relief, especially the renter credit on the income tax. Saving: About $500 million.
- Trim health and welfare benefits by abolishing Medi-Cal for the so-called medically indigent, by eliminating dental and a few other services, and by refusing to pass on federal welfare grant increases to the aged, blind and disabled. Saving: Almost $1 billion.
- Eliminate nonessential programs in the public schools. Among those who could lose their jobs are administrators, counselors, psychologists, coaches, aides and the like. The School Improvement Program could be eliminated. Saving: $750 million.
- Trim allocations for the University of California, the state university and colleges system and the community colleges. Small campuses could be closed. Recreational courses — as opposed to academic or vocational courses — could be made to pay their own way. Saving: $250 million.
- Cut bailout funds to cities, counties and special districts. This is especially feasible for cities, which can survive without much damage if Proposition 13 funds are withdrawn. Saving: $300 million.
- Eliminate the budget item of $100 million for new prisons. (The funds can't be spent next year anyhow.)
- Cut allocations for some state agencies. Likely candidates are the Personnel Board, Department of General Services, Department of Education, the Arts Council (Jerry Brown's pet), the Legislature itself and a variety of small offices. Saving: About $300 million.

This hit list adds up to $4.9 billion, substantially more than would be necessary to make up for the Jaws II decline in income.

Passage of Proposition 9 would not give the elected officials in Sacramento an easy job. Most of the reductions would be politically unpleasant, and some of them might even be unfair and undesirable. Nevertheless, it would be possible to pass a Jaws II budget without total dismemberment of state and local government.

California Journal

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Don't worry too much if your name shows up in the RATS file at the secretary of state's office. RATS stands for Registrations, Amendments and Terminations Summary. (It lists those who spend more than $250 to lobby state government.)

Mayor Pete Wilson may not be the only San Diegan to seek statewide office in 1982. Roger Hedgecock, chairman of the San Diego County board of supervisors, is also warming up in the political bull pen. The line on Hedgecock is that he is a bright pro-environmentalist lawyer who needs to smooth off some abrasive edges.

It may appear that the Woodward-McDowell firm in San Francisco and Butcher-Forde in Orange County are bitter rivals for initiative campaign accounts. So how come Woodward-McDowell subcontracted a large portion of its Proposition 10 campaign to Butcher-Forde?

The Libertarian headquarters of California is the 73rd Assembly District of Orange County, represented by Democrat Dennis Mangers. The Libertarian registration drive in the district netted almost 5 percent of the voters. But there is no Libertarian candidate in the Assembly race.

Wisdom from Wild Bill Bagley, former assemblyman and chairman of the federal commission regulating commodity trading: "Sophisticated legislators have come up with a way around the $10 limitation on entertaining by lobbyists. You contribute $500 to their campaigns and they take you to lunch." Who will be speaker if the Democrats and Republicans each hold 40 seats in the Assembly next year? The likely choice, says Bagley, is Republican Gordon Duffy of Hanford, acceptable to centrists of both parties.

This doesn't look like a good election year for women in California. The all-male congressional delegation should stay that way. There is only one strong female candidate for state Senate, and there are fewer Assembly opportunities for women than there were two years ago.

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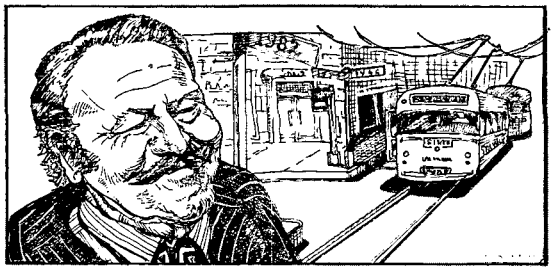
Another chance at political leadership may be ahead for the ex-speaker best known as "Big Daddy."



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Primary Election Preview

An election-year highlight is presented this month: Journal *editor Ed Salzman's roundup on the June 3rd primary contests. This 11-page section includes complete candidate lists, voter registration statistics and analyses of every race from president to Assembly.*

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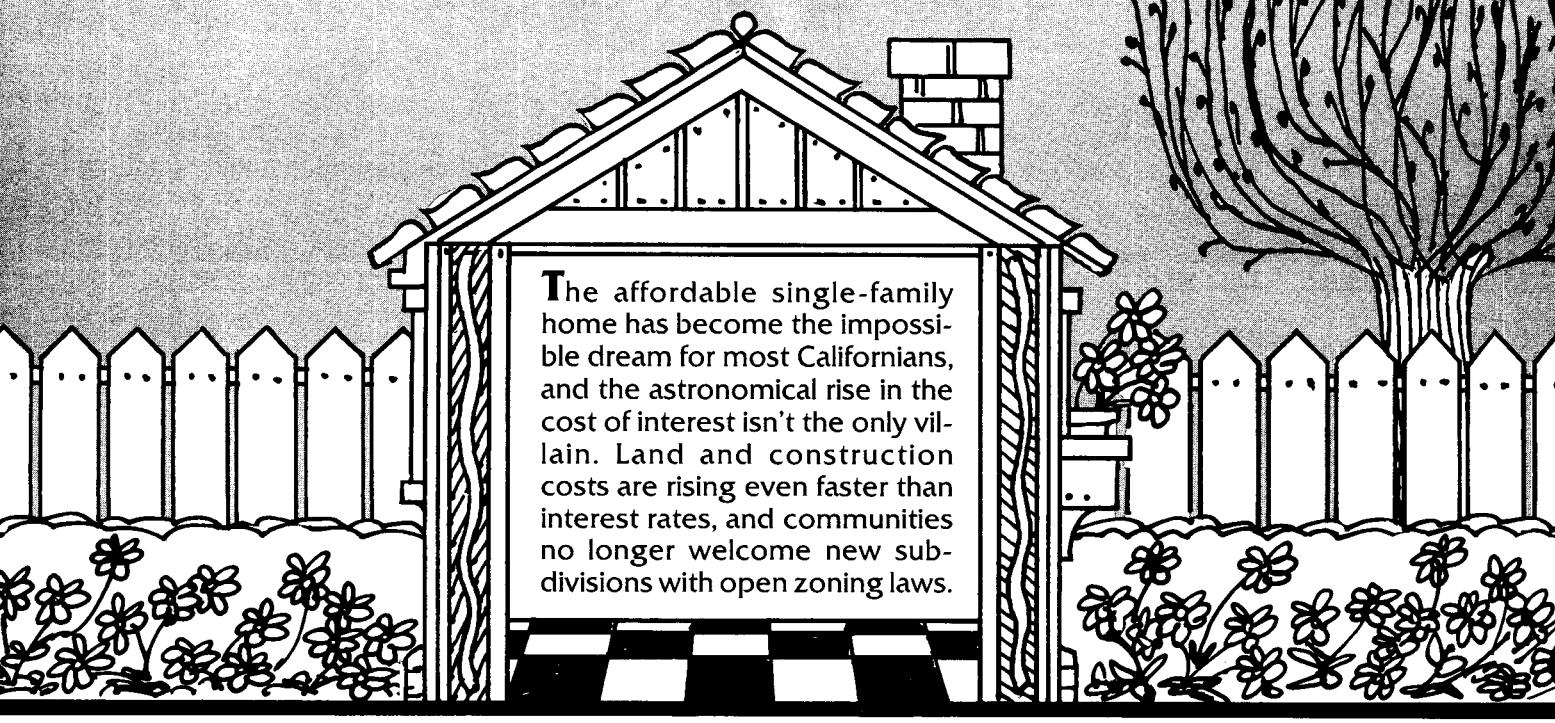
The affordable single-family home has become the impossible dream for most Californians, and the astronomical rise in the cost of interest isn't the only villain. Land and construction costs are rising even faster than interest rates, and communities no longer welcome new subdivisions with open zoning laws.

California's housing crisis

By Kathryn Eaker

Do you remember when a house was simply a place to live? Now it's a tax shelter, savings account, retirement plan, investment portfolio and hedge against inflation. But it is also becoming the impossible dream for a growing number of Californians.

In 1975 a couple earning $16,650 a year could have bought a median-priced California home for $41,000. They would have made a 20 percent down-payment ($8,000), and their monthly mortgage payment, including interest, insurance and taxes, would have been $347. Today the median-priced California home costs $88,300. A buyer must earn $35,120 to qualify for a loan, put down 20 percent ($17,750) and pay out $878.42 per month.

In the past five years new home prices have gone up 2½ times as fast as incomes. Today, the number of families that can afford the average house is half what it was 10 years ago.

The first-time buyers — young couples, singles, minorities, moderate- and low-income people — are virtually frozen out. It looks as if most of them will have to forego the American dream of owning their own home.

There are also serious implications for the state's future economy, according to many housing experts. Already electronics technician jobs are going unfilled in the Santa Clara Valley (known as Silicon Valley) because people are unable to rent or buy housing within reasonable commuting distance from their jobs. Several out-of-state firms have canceled plans to move to Orange County because their top executives can't afford homes there that are comparable to those they would have to sell in other states. In general, California real estate prices are about 50 percent higher than averages across the country.

A touch of irony

The housing crunch is producing at least one ironic twist. For years the housing industry has viewed government intervention in about the same way it has viewed the plague. Now industry leaders are calling for a government-industry coalition to combat the most extreme downturn in the market since the 1974 - 75 housing recession. Pressure is building for some statewide relief, and many legislators may try to get their names on housing-related bills before they hit the 1980 campaign trail. Assembly Speaker Leo McCarthy, with great fanfare, has announced an 18-bill package of state and local action to expedite housing production and reduce red tape.

There are several major reasons why the state's housing market is in trouble. Among them:

- ***Skyrocketing interest rates.*** When interest rates were at 11 percent, people continued to buy houses; when the rates went to 12 percent, the market slowed considerably; when they hit 15½ percent in March, the market was virtually choked off. To qualify for home financing, mortgage payments must not exceed 32 - 35 percent of gross income. Interest rates that add $200 to the monthly payments shove payments over the line.

Interest rates in California generally run 1/4 to 1/2 percent higher than in the rest of the country, partly because the state must import investment capital. Ray Edwards, chairman of the board of Glendale Federal Savings and Loan Association, one of the largest S&Ls in the state, says he does not expect interest rates to come down. Interest rates reflect the rate of overall inflation (13 - 15 percent in the last two years), and the inflationary increase in federal defense spending will keep interest rates high, Edwards believes.

- ***Tight money and credit.*** Although money is available, it is not there in the volume that it was last year. Loans were down in January to the lowest level since the 1975 housing recession. S&Ls, which supply 70 percent of the home financing in California, depend on savings for that capital. But instead of saving, people are spending their money to keep up their standards of living and to invest in other things, like money-market funds, gold — and groceries. Two years ago people were saving 7 percent of their disposable income; last year they saved 3 percent, the lowest figure in 30 years.

Credit tightening also has softened the housing demand

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by reducing the number of people who can actually afford to buy a house. Yet the need for housing is greater than ever. So more and more people are competing for fewer and fewer affordable homes. To catch up with the shortage, the industry should build 400,000 units in 1980. To keep up with current California demand, it should build 290,000 units per year for the next five years. But it is losing ground. In 1979 only 210,000 units were built, and in 1980 only 180,000. Dale Stuard, president and chairman of the board of American National Housing Corporation, estimates that the industry is 1/2 to 3/4 of a million housing-starts behind where it should be to meet the demand. He claims that the only chance of slowing down prices is to increase production.

• ***Population pressure.*** California has greater housing needs than most states because the post-war population bulge has reached the home-buying age. The average age of consumers is 27; home buyers are generally between 25 and 45. California is particularly long on 25- to 45-year-olds. They are upwardly mobile, two-income families who change residences frequently. Following on their heels is California's largest population group: 19-year-olds. Thus the need for housing is expected to roar along through the 1980s and into the early 1990s.

California has more people and more households than any other state. It also has a greater diversity of living styles: more singles, roommates and soulmates wanting to buy houses than have other sections of the country. Add to that the greatest in-migration of any state: 233,000 in 1978, the highest number since 1964, and 240,000 more expected in 1980. The majority of people coming to California are singles, seniors and couples without children — all of whom place additional strain on the dwindling supply of houses and on the severely crowded rental market.

• ***Speculation.*** Although no one knows how much housing is in the hands of speculators, estimates range as high as 40 percent in some parts of the country. Many people buy not for themselves, but to sell to the next fellow. When the owner of a $30,000 lot sees an inflation rate of 10 percent, he will ask $33,000 to $35,000 for the lot the next year.

Douglas R. Casey, author of *The Case Against Real Estate*, says, "This approach to investing is commonly known as the greater fool theory. It holds that no matter how foolish you are to pay a high price, an even greater fool will automatically appear to give you more next year."

Stuard of the American National Housing Corporation agrees: "People are buying houses for the same reason they are buying gold — a very strong purchasing incentive. The consumer will pay anything."

• ***Spiraling construction costs.*** California has the highest construction costs in the mainland United States — surpassed only by those in Alaska and Hawaii. Costs have more than doubled in the past decade, but they are not out of line with inflation and, in fact, have dropped in relation to the total price of the home. Financing and land costs are rising faster than construction costs. Today land accounts for 28 to 35 percent of the price of a house. Along the coast, land can go as high as 45 percent; in Orange County, 50 percent. Land costs have inflated 18 to 20 percent in the past few years.

• ***Growth controls.*** There is no land shortage in California. If all current housing demands were met, development would still occupy only 3.3 percent of the land. But there is a dwindling supply of land designed for development in desirable localities near employment centers. Many close-in areas have become battlefields for bidding wars as cities have put the brakes on expansion. Proponents of planned-growth, slow-growth and no-growth policies insist that development must be controlled to preserve clean air and water, the quality of life, and the communities' ability to absorb congestion and provide services.

Nobody quarrels with that philosophy, says Robert Rivinius, executive vice-president of the California Building Industry Association. But he believes that the "I've-got-mine-now-pull-up-the-drawbridge" approach to planning raises basic questions: Do people have the right to live in whatever community they wish? And if they don't, who decides who gets to move in and who doesn't?

Frank Patitucci, president of the California Housing Finance Agency, observes that every community could institute a limited-growth policy. "But then," he asks, "who represents people who don't have housing, particularly the low- and moderate-income people?"

Regardless of intent, when communities restrict development, they are excluding moderate-priced housing. When the town of Belmont says, "We are only going to allow 56 units to be built this year," the bidding for the land goes sky-high. When Cupertino, a slow-growth Bay Area community, advertises seven-and-a-half acres for $2.2 million, or $300,000 an acre, you won't see affordable homes built on that land either.

Says Stuard, "These communities don't want more people, cars, air pollution, taxes and burdens on the services they are now enjoying. They particularly don't want 'those kinds of people' lowering property values. As long as people vote their pocketbooks, there are never going to be enough houses to meet demand."

• ***Government regulation.*** Bob Sheehan of National Home Builders Association in Washington, D.C., says California is the most regulated of the growing states. Development that used to take months now takes years, and every month's delay adds 1 percent to the selling price of a house. A Rutgers University survey of 2,000 builders claims that "excessive" regulation adds 20 percent to the cost of a new house.

In addition to environmental controls, building code regulations raise construction costs. Doug Gillies, California Association of Realtors, explains: "All new homes must have low-flush toilets to save water, smoke detectors to save lives, special insulation to save energy. We may be creating a system of super-safe, efficient houses that only the wealthy will be able to buy."

Some major builders have given up trying to build afforda-

CALIFORNIA DREAM REALTOR
ERNEST FEE'S AGENT
"...$92,000, 30% CASH TO MORTGAGE, P.I.T.I., ESCROW, TITLE INS., 110YRS. TO PAY, MY CUT, CARPETS, DRAPE AND..."
"...A NEAT-O KELVINATOR WITH AN ICE TRAY!"
"JEEPERS! 20% INT!"
DEED
TOMMY, NO!
"IT'S A CUTIE. I'LL TAKE YOU TO SEE IT!"
CONT'D

ILLUSTRATION BY GRACE MATEU

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ble housing. They say it isn't worth the hassle with local governments, and that they would rather build 50 expensive houses than 100 moderate-priced ones.

• ***The Proposition 13 effect.*** Slow-growth is not a matter of aesthetics alone. Since the passage of Proposition 13, many local governments believe that new development doesn't pay its way. With their reduced revenue, cities and counties say that they can't afford to provide services to new areas. So in addition to limiting the amount of land developed and the number of houses in each development, local governments force developers to pay fees to cover the costs of schools, sewers, lights and streets. Such fees are not new, but the costs have gone up: a $100,000 fee for sewer hookup in one community; $3,600 fee per unit for schools in one San Diego area; over $15,000 for a building permit in most Bay Area communities.

Says Rivinius, "When a community adds a $400 fee, they say, 'What's the difference? The developer can pass it on to the buyer.' The difference is that every $1,000 added to the price of a house squeezes 1,000 people out of the market."

Betsy Strauss of the League of California Cities admits that cities and counties could ease the situation by allowing more houses per acre and waiving requirements such as developers' dedication of land for parks. Also, she says, if cities can find financing, they can put in some of the streets and lights and speed up permit processing. But what city or county is ready to assume added costs when Proposition 9 lies on the horizon?

The trickle-down effect

High prices and low production create pressures that trickle down through the housing market. Middle-income people, who in the past have made up the bulk of new home buyers, are staying in rentals and older homes. Low- and moderate-income families which traditionally depend on the rental market are now competing with them for a place to live.

Condominium conversions create pressure on what is left. So does "gentrification" — the renaissance of central cities by the affluent who pick up and renovate trendy old Victorians that couldn't be given away five years ago but which are now selling for $100,000. For example, in San Francisco, the gentry is pushing out the gays, the gays are pushing out the blacks and the blacks are moving to Richmond.

More pressure results when worn-out apartment buildings aren't replaced. In the early 1970s the ratio of construction of multi-unit buildings to single family units was 50 - 50. Now the ratio is 30 percent multi-units to 70 percent single family. And most of the 30 percent is condominium, luxury-apartment construction.

The reason: New apartment buildings don't hold much profit appeal. Considering the high costs of land, construction and maintenance, investors know that to make a profit they would have to charge rents so high that few people could afford them. The big money behind apartment building in California has come from out-of-state sources, but because of rent control and Jarvis-Gann, investors are nervous about California.

Presently the rental vacancy rate is running about 2 percent below what it should. How serious is that? Bob Leidigh, attorney-lobbyist for California Rural Legal Assistance, warns that the housing crunch of the 1980s may produce the same social dynamite that Watts did in the 1960s. "When you are looking at no place to live, or moving out a great distance from your work, or living four families to an apartment — as people are doing right now in East Los Angeles — the tensions created by that pressure will blow sky-high. People will only take that so long. And there are no programs going on right now likely to turn things around."

The housing industry says that the low- and moderate-rental market is one that it can't handle; it considers that a problem for government. Presently 70 percent of apartment construction is government-subsidized, but it is targeted only for severe-need areas and even then can help only peripherally.

What is acceptable?

On one point government and industry agree: The public must be educated on what is acceptable housing. For the most part, the days of the 2,000 square-foot house sitting on a quarter-acre are gone. No moderate income can handle the down payment, monthly mortgage and utilities. High density, energy-efficient, multi-family units will be the homes of the future. California sprawl, with its insatiable appetite for roads, sewer lines, water systems and telephone poles, is a luxury no longer affordable, according to many experts.

There are other concepts possible:

• More mobile home parks. Mobile homes sited after 1980 will be taxed as property instead of vehicles in the hope that local governments will accept them.

• More manufactured, pre-fabricated housing.

• Smaller single-family houses, about 750 to 800 square-feet, with 12 to 14 on an acre.

• Co-op housing, with the cost kept low by limiting the amount of equity that owners can take out when they sell.

• The "mingle" — designed with the single professional person in mind. This would be two self-contained, separately owned units in one house.

• Cluster housing, with shared open space and recreational facilities.

• Development of vacant space in urban areas, to take advantage of exisitng services. Housing may even be developed on the roofs of parking garages and on the tops of stores.

• Rapid growth in the Central Valley, the desert and foothills, as businesses seek affordable housing for their employees away from established urban centers.

• Increased high-rise development, especially for seniors.

• Expanding interest in renovation of older houses in

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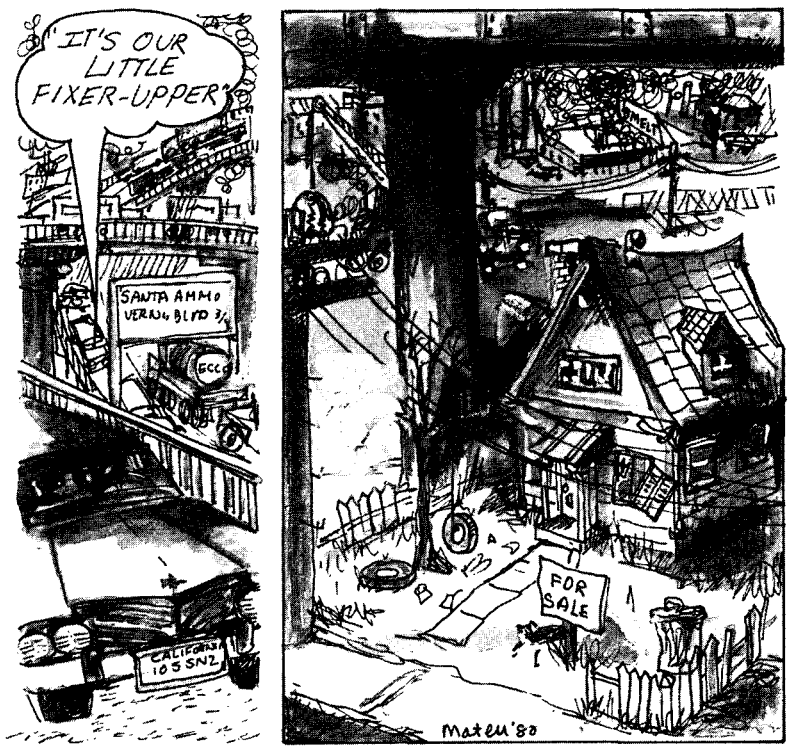

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THE STREETCAR THEORY OF POLITICS

Treasurer Jesse Unruh, waiting for another chance to lead

By Herb Michelson

The Streetcar Theory is ascribed to former Assemblyman Bill Bagley. In politics, said Bagley, all you can do is stand on the corner with the correct fare in your pocket and wait for the streetcar. Having the right change is more important than the car coming, because if the streetcar pulls up to you and you don't have the fare, you can't board. Also, you must be patient and stay on that one corner, because if you have the fare and are impatient and run around the block looking for the streetcar, it might pass that old corner while you're gone. Then all you have left is the fare in your pocket.

Jesse Marvin Unruh has been jingling the right change in his pocket for 15 years. In 1966 he was wary of venturing toward the street corner. In 1968 the streetcar stopped a block away. In 1970 he handed over the fare and boarded, but the trolley fell off the line. In 1973 he walked around the block and hopped on the first car he saw. And in 1974 — at a time he was not certain how much longer the coins in his pocket would be negotiable — he stepped onto what amounted to a shuttle, a vehicle in a holding pattern that was circling the key corner. He now has a transfer and a bit of change left. He waits. He is 57 years old now and he says, "I'm young enough to wait and old enough to be relatively patient."

But an Unruh does not wait tamely, does not sit idly in the stands and occasionally glance up at the scoreboard or leaf through the program to check the names and numbers. An Unruh anticipates, perceives the plays before they're called, identifies the players before they're assigned numbers, visualizes the spread in advance of its posting.

There are some observers who say that, if Unruh were as good a politician as he was a legislator, he could be president of the United States today. Although his wheeler-dealer image has persisted long after his years as Assembly speaker, Unruh in fact has made some serious errors in political tactics. Most obvious was the famous "August Lockup" of 1963, when he sought to impose his will on reluctant Republicans. Unruh may have won the battle but he lost the war of public perception. Even after he shed considerable weight, lost most of his political power, suffered humiliating defeats in 1970 and 1973 and served several years in the low-profile job of state treasurer — Unruh still cannot erase completely the "Big Daddy" label.

But neither can he be denied a formidable record of legislative leadership. Says Republican Bill Campbell, the state Senate minority leader: "Jesse Unruh is a unique California resource."

Larry Margolis, once Unruh's right-hand man in the speaker's office, agrees: "Half the people in Sacramento are making their bread by asking Jesse what to do." So many of them phone him — the vets and the rookies, the Democrats and the Republicans, the Berman people and the McCarthy people and the abstention people. The phones are not on hold . . .

Kansas and Texas

He begins by talking about the old days back in Kansas and Texas, of a failed wheat crop and sod shanties, of older brothers he never really got to know, of an illiterate father, of slopping hogs and watering cows and often eating nothing but dry grain, of being limited to just 90 minutes of studying and reading because his mother needed the light of the gas lamp to cook by, of ill-fitting shoes and funny-looking clothes, of somehow rising above it and not quite figuring out what propelled him.

There is a great deal of "why me?" in this recitation. Why was he the only one of the five children to reach high school? Why his drive to go to college? Why his need to break out, break away? "Everybody's always trying to psychoanalyze me," says Unruh. "What is there about me? Why always me?"

Controller Ken Cory and Margolis have engaged in such Unruh-analysis over the years. Cory has been, and is, a nephew figure, a little brother, a student at the feet of Unruh. For years — and likely again — Margolis was the alter ego, the administrative assistant-front man, the perceived heavy for a perceived heavy.

"When I finally got close enough to Jesse to understand him," says Cory, "I could see how things I'd judged as his

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mistakes came about. Whenever things were going well for him, he had to cause himself grief, almost to bring himself down. He couldn't believe he'd been able to accomplish what he had. So he often went around looking for trouble — almost as if he wanted to make sure he didn't succeed."

Margolis offers a similar theory: "I think that in the first few years Jesse was around Sacramento, he had a low opinion of himself, so he started going out on the town and misbehaving. Then as he started moving up, he grew more confident, although not confident enough to erase that 'farm boy risen above his expectations' kind of thing."

The 1966 gubernatorial scene offers one example, Margolis says. (Governor Pat Brown had promised Speaker Unruh that he wouldn't go for a third term in 1966 but he changed his mind, ran and lost to Ronald Reagan.) "As much as Jesse had been fighting with Pat," says Margolis, "whenever he was in the governor's presence, he was deferential to Pat. From my point of view, Jesse should have run against Pat Brown in '66. It was time for the governor to step down and let others have a chance for the office. And if he wouldn't step down, then he should be opposed in the Democratic primary. But Jesse hadn't put this together in his head. He felt that showing deference to the man in the office of governor was the thing to do."

Hitchhiking west

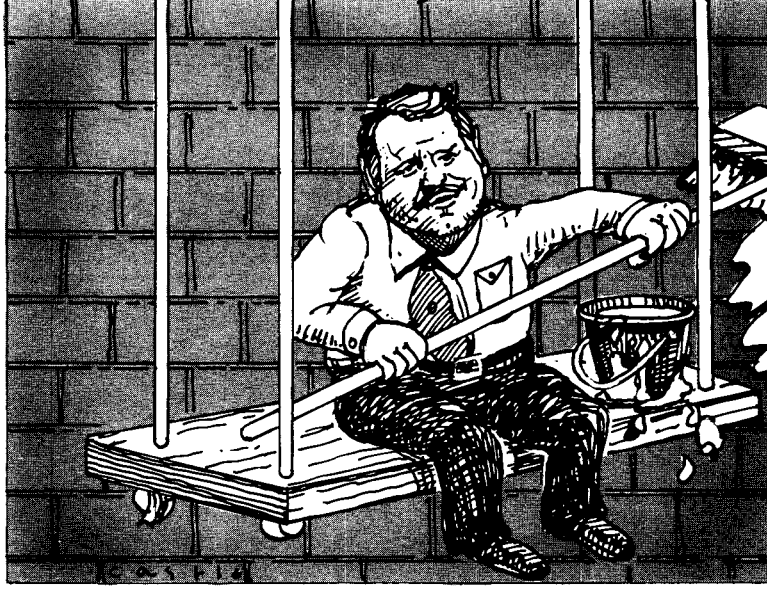
Unruh came to California in 1941, to a mattress stuffed with crinkled newspapers on the floor of the chicken coop behind the small house of brother Ervin in Hawthorne. He had come to California mainly because "there was nothing to do in Texas." He had worked construction and been a plumber's helper and been unable to deal with the books at Wayland Baptist College and passed through a vocational school for aircraft builders. But Texas was, well, Texas, and so he borrowed a few bucks from his father and hopped in a car with his friend Dub and another guy who were driving west. The other guy, the guy with the car, had this girl in Globe, Arizona, and he paused there so long that Jesse and Dub — not unromantic but just eager to move on — hitchhiked the rest of the way to the West Coast. "Marvelous place," Unruh told himself. "You can get a whole pint of ice cream for a nickel."

So he had escaped, fled dead-ends, worked briefly in a defense plant because the various service units balked at his flat feet. Then finally, with a little sweet talk and a bottle of booze for a Navy recruiter, Unruh enlisted in the Navy and served in the Aleutians. By 1946, he was at the University of Southern California on the GI Bill. He took an active role in veterans' affairs on campus, a natural entry into campus politics, a venue inspiring him toward the ballot in the real world — a run, in 1948, for the 60th Assembly District seat. He lost, which was no surprise. And he lost again in 1952. Preparatory defeats; a longshot establishing name recognition and a base. He also acquired the volunteer enthusiasm of the California Democratic Guild, peopled by the likes of Frank Mankiewicz and, as a matter of fact, Larry Margolis.

In 1954 he won the Democratic primary on a budget of $1,615 and the general on $2,495 — to give you some sort of idea that then, not all that long ago, money was only the canned milk of politics.

Four of Jesse's five children had arrived by the time he came to the Capitol. He was one of nine Democrats in a freshman class of 14. He was in an office adjoining the cafeteria and he had to share a secretary, who was his only staff member, in Sacramento and in his district. His Assembly salary was $3,600 so he had to supplement it by counting boxcars in Los Angeles on his weekend trips home, trips he'd make by riding in the car of an LA newsman.

"When I first came up," says Unruh, "bills were introduced for a week, and then you'd spend the next few months



at home ostensibly to talk to your constituents. I remember dragging home an overpowering load of bills. Well, you'd study them and try to sort out the confusion by yourself and then come back up and confer and then the rush-rush of passage. But now, there's no need for this last-minute, final-day, stacked-up rush of voting. No excuse for legislators not to know what they're voting on, either." Not with the Unruh-induced staff system, his legacy of professionalizing the Legislature.

"He made this a great institution," says Tom Bane, still an assemblyman and for a long time in the '60s the speaker's implementer as chairman of the Rules Committee. "First, he made the money available to hire top committee consultants. And then he made sure the Republicans had a staff that was smart enough to see what the majority was doing. He wanted an informed opposition. But the way it worked, really, was that Jesse, as long as he was speaker, really ran both parties," smiles Bane.

Taking over

But first he had to take over one. "I don't know exactly when I began to believe I could be speaker," says Unruh. "I'd had a major hand in helping Luther Lincoln to the speakership by carrying his cause, his petition, to the Democrats. And then I helped Ralph Brown get the job. I guess being close to these speakership races got me involved, early, in the power of politics, but I can't say I was prescient enough to see how powerful a speakership could become. What I could see in those early days, though, was that things could be done, that things needed to be done.

"In '59, when I was chairman of the Ways and Means Committee, my staff consisted of one secretary. Then, the committee chairman was appointed by the governor, and so his appointee had to turn to his Finance Department. Eventually, I talked Ralph Brown into giving me $400 a month to hire a staff person; he gave it to me reluctantly, too. In other words, those were times of a weak speakership — and I bring that up only because here they are again, across the street, talking about making moves to weaken the speakership."

Financially, things were starting to get better for the 30-ish assemblyman. Because his district was the home of the California Museum of Science and Industry. Because then Governor Goodwin Knight had asked his biggest fatcat, Howard Ahmanson, to revitalize the museum. Because the once-poor kid from Kansas/Texas and the S&L-insurance tycoon hit it off right away. Because Ahmanson led Unruh into the world of big business. Because in that world Unruh was able to pick up campaign contributions for fellow Democrats, starting in 1958. Because the thank-yous from these colleagues automatically represented IOUs.

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By 1960 it was fair for Jesse Unruh to be aspiring to the speakership. The only roadblocks were Speaker Ralph Brown, who fancied an eventual judgeship, and Speaker pro Tempore Carlos Bee — the latter, in Unruh's words, "a very, very popular guy. Carlos (from Hayward) and I came up together. He was 6-2 and debonair and handsome. I remember that one night at a party I went up to him and said, 'If I looked like you, Carlos, I could be anything in the world.' "

So in 1961, Unruh recalls, "I did something very smart: I talked my friend Bob Crown (the late Alamedan who was Uhruh's Ways and Means chairman) into chairing an election and reapportionment committee. And the actions that came out of that committee were a very helpful lever to the speakership. But Carlos had a helluva start on me," he says. "In one early count, he was beating me 35 - 6." But that was a very early count, and Crown's reapportionment work — stroking Democrats, securing Republicans, creating a couple of Senate districts for two Bee votes — plus a rules change that brought the Assembly into a special caucus after Ralph Brown's move to the bench, were enough to seal an Unruh verdict.

"Carlos asked only, before the vote, if he could stay as speaker pro tem. It was like Lee at Appomattox. I let him keep his sword and his horse," smiles Unruh. "And never, as long as he was alive, was there ever a whisper of disloyalty from Carlos. Not in all those years did he ever leave me on an important vote."

The driving force

On his 39th birthday, September 30th, 1961, Unruh began his seven-year, three-month tenure as speaker. He'd finally found a pair of shoes that fit.

He walked everywhere. He stroked them all. He made sure they shared in the planning and were aware of his decision-making process. He kept them in line, he got the bills carried and passed, he was well-nigh omnipotent. With his new power thus secured, Unruh was ready to move. He cut down the number of committees (from 35 to 20); then he sliced the number of committee assignments per member from as many as nine to no more than three. Then he staffed these committees — with all of the appointees first having to pass muster with Margolis and himself.

It would be unfair, Unruh says, to equate the present condition of the Legislature with his heyday. "There wasn't as much scrutiny then," he says, "although the press subjected me to more scrutiny than any speaker since."

He will not choose sides in the Berman-McCarthy mess. "Even though I guess I'm still a figure of sorts in the Democratic Party, I'm now outside of the Legislature. And outsiders shouldn't get involved," he says. "It's important for the House to keep outsiders out of things, because remember that there were times when lobbyists used to pick the speaker."

On the other hand, he makes it clear he believes the strength of leadership in his old office has dissipated down the years. And he frets over the weakened condition of his old House after this speakership fight. "A weakened Legislature means a total domination by a governor, if that governor is strong and concerned. If not, then special interests will run over both the executive and legislative branches. If that happens, nobody will be able to do anything. And that's what's wrong with our society now — it's so fragmented, there are no generalists, nobody is able to take an overall, general view."

What appears to concern Unruh even more is the dispassion of the legislator of 1980. "There's so very little risk-taking now," he says. "The end-all is first getting elected and then getting re-elected and re-elected and . . . Winning is everything. The passion is gone, and what we've got is a group I call the New Hessians, those professional campaign people who use other people's money and find candidates. The New Hessians are part of the process. It's amazing how they're so inventive in finding new ways to spend money. You know, the most personalized thing in politics now, today, is the computerized letter."

Again? Melancholy? A lust for the way it was? Or a craving for the way it might be again . . . if?

"Jesse probably isn't electable to a major public office now because of that old Big Daddy image," says GOP Senator Bill Campbell. "That image of riding roughshod over everybody."

Unringing the bell

Margolis has always believed that Unruh, contrary to other political opinion, was correct not to seek a U.S. Senate seat in those years when the job seemed to be there for the running. "He's too attuned to this state," says Margolis. "If he'd gone to Washington, he would have had to start an apprenticeship." And so, hints Margolis, Jesse may be waiting for the next governor's race. "Maybe by 1982 the public will be fed up with the pretty-boy candidates and their vacuous speeches and their quick-funny answers at press conferences. It's my hunch that the good, solid politician is about to make a comeback. So what Jesse is doing now is waiting, and thinking. He doesn't have to be governor. He won't break his pick if he never makes that office. But if he sees an opportunity, he'll take it. And if nothing happens, so be it. He can accept that.

"But lemme tell you something. There's a mess in California brought about by a decline of leadership. And pretty soon, the people are going to say, 'Give us back a leader.' And when that comes, Jesse is the guy that turn will be toward."

Then there is Ken Cory, a 1982 planner himself. He will not bump heads with Unruh. He can be expected to chase whichever job Unruh doesn't seek. "If there's anything Jesse wants, the governorship is it," says Cory, giving us clues. "He wants it because it was denied him in 1970. And he could be a tremendous governor. But the question remains whether there's still that 'Big Daddy' image of his in the minds of the voters. In this business, once a bell is rung — an image is perceived — it can't be unrung."

Unruh knows that the image of the early 1960s won't die completely. He thrives on having identity in the polls but realizes that not all of that ID is benign. And he realizes, too, that it's pointless to look back, to subtract or add. Yesterday was yesterday, and that's that; tomorrow will bring what tomorrow will bring. He believes that now. He believes that with all his heart, as he stands on the corner with the correct fare in his pocket, waiting for the streetcar.

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The sudden rise of the Jewish politician

By MICHELE WILLENS

Stereotypes of all kinds are easy to identify but difficult to overcome. In California politics, one image of the Jewish community's role has prevailed for years — that of fund raisers, party-givers and check-writers for other candidates. If you're Jewish and interested in politics, you also are expected to be liberal, affluent, issue-oriented and generous with campaign money for Democratic politicians and left-of-center causes.

That image may linger, but the reality today is different in at least two important respects:

- An increasing number of Jews are trading their behind-the-scenes roles for active political lives of their own. They are running for office and, in many cases, they are winning.
- At least some members of the Jewish community are breaking out of the liberal mold and staking their political fortunes on what they perceive to be a conservative trend.

The rise of the Jewish politician in the state is a relatively recent phenomenon:

- There are 13 Jewish members of the Legislature, compared to seven a decade ago.
- Los Angeles has never had a Jewish mayor, but three leading potential candidates are Jewish.
- San Francisco has its first Jewish mayor in a century, Dianne Feinstein, and she defeated another Jewish supervisor, Quentin Kopp, to win the job.
- The Los Angeles school board got its first Jewish member in 1976; now it has four.
- California didn't have a Jewish representative in Congress until 1974, when Henry Waxman was elected from his Los Angeles district.

"The development of the Jewish politician in California is a pretty recent one," says Los Angeles Councilman Zev Yaroslavsky. "But it is understandable when you consider that the Jews' immigration to California is pretty recent."

Yaroslavsky is one of the Jewish politicians on the rise in California, and his religious activities have been numerous in his largely Jewish district. At his age (31), he can safely anticipate a political future beyond Los Angeles. If Tom Bradley does not seek a third term, the three leading candidates for mayor of Los Angeles could all be Jewish: Yaroslavsky, who has served two terms on the council; city Controller Ira Reiner, who has made constituent friends and political enemies by curbing officials' spending habits; and state Senator Alan Robbins, who has recently become associated with the popular anti-busing movement.

In San Francisco, Dianne Feinstein has become a national figure since her defeat of Kopp. (Kopp sent her a short congratulatory telegram: "Mazeltov.") In the Legislature, Howard Berman reached a position of power very quickly; he was first elected to the Assembly in 1972 and became majority floor leader two years later. Whether he can hold his power after the War for the Speakership remains to be seen.

Others who have benefited from the aid of Berman and his powerful campaign-winning machine (including his brother Michael) include Assemblymen Herschel Rosenthal and Mel Levine. The true power of the Berman organization may be tested this election season, if the Southern Californians put muscle behind candidates opposing those supported by Leo McCarthy, the man Berman is trying to unseat as Assembly speaker.

Until recently, the Berman forces have epitomized the social and liberal policies favored by "typical" Jewish voters of the past. Those voters, although small in number, have been important in other ways. Jews represent about 5 percent of the registered voters in California and 10 percent of the registered Democrats, but their ability to get to the polls make them disproportionately significant at a time general voter turnout is low. Naturally, their relative affluence and willingness to contribute to candidates and causes also makes Jewish supporters appealing to politicians.

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But there has been a significant change among many Jewish voters. It now appears that there isn't a "typical" Jewish position any more. The trend is represented by another powerful bloc of leaders who are also Jewish: Bobbi Fiedler and Roberta Weintraub of the Los Angeles School Board and state Senator Alan Robbins. These are people who have built political careers out of a stand which doesn't seem to mesh with the liberal Jewish philosophies of the past: the anti-busing bloc.

Unlike Berman and his crowd, the Fiedler group does not even purport to think along traditionally Jewish lines, at least not when it comes to issues like busing. "I think the people behind me are not there because of my religion," says Bobbi Fiedler, "but because of my philosophy."

"They are riding a phenomenon not of their making," says political operative Mickey Kantor, "and I don't think they will transcend the busing issue. I think voters will be smart enough to see these people basically have no political experience or understanding of larger issues."

So far, however, the Fiedler organization has proved successful in all of its attempts to put people in high places. Last year, Roberta Weintraub, a Fiedler clone, led the successful moves to recall — and then replace — school board President Howard Miller, a more liberal Jewish politician. Last month, the machine's choice, anti-busing Jewish attorney Tom Bartman, won a seat on the school board, giving busing opponents a majority. And last year, thanks to Fiedler's endorsement and support, Hal Bernson won a seat on the Los Angeles city council. Bernson represents a portion of the large San Fernando Valley, where anti-busing fever runs highest.

The Corman-Fiedler test

But the most telling test will occur later this year when Fiedler herself, the 42-year-old founder of Bustop, challenges longtime Democratic Congressman James Corman. Corman has never had trouble holding onto his seat, but he's in real trouble this time in the Democratic primary. The election will be a good indication of the current state of Democratic Jewish voters. On many issues, they may tend to favor Corman's more traditionally liberal views. But they may feel grateful to Fiedler for articulating their anti-busing feelings, the issue closest to home.

"You have to make a distinction between politicians who identify themselves as leaders of the Jewish community itself and those who are leaders and deem themselves to be Jewish," says Max Greenberg, national chairman of the Anti-Defamation League of B'nai B'rith. "I don't consider that (Fiedler) group powerful or representative except on that one issue. In all fairness, it's awfully hard to argue that busing is an ethnic issue since it has such widespread opposition." (Even Howard Berman, with strong liberal credentials, took an anti-busing position.)

But it is an ethnic issue in one key respect. Jews have traditionally joined with blacks, Chicanos and liberals to support progressive social action. When voting together, theirs can be a powerful political force to be wooed by Democrats. But that coalition has begun to unravel over the issue of busing. Contributing to the rift last year was the Andrew Young affair, when the U.S. ambassador to the United Nations was forced to resign after his conversation with Palestine Liberation Organization representatives. Many blacks blamed pressure from the Jewish community for Young's resignation.

Blacks and the American Civil Liberties Union are increasingly upset with the anti-busing Jews for daring to put self-interest ahead of anything that even purports to aid integration. They look back to the years when Jews, still feeling the pain of discrimination themselves, were among the first to join the civil rights movement. Many Jewish people still adhere to many of the New Deal policies of the past, at least in theory. And perhaps those social goals will prevail again, after the busing furor dies down. But it is clearly a time of new anxieties, and a weakening of the minority coalition appears possible.

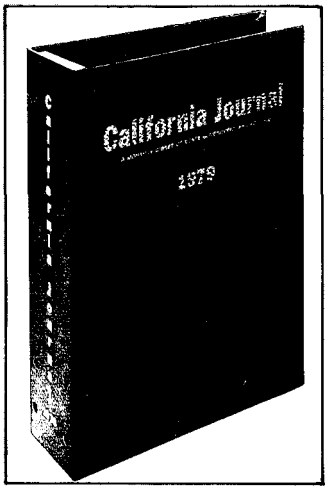
A shaky relationship

Assemblyman Herschel Rosenthal heads a group of Jews and blacks in the Legislature which was formed right after the Andrew Young affair, to try to keep the minority representatives together. The group has met four times and Rosenthal admits the relationship is shaky, but he's hopeful: "As members of minorities, we are still more socially responsible and keen to people-oriented kinds of things."

Also after the Young incident, LA Mayor Tom Bradley quickly brought together a group of black and Jewish leaders. They eventually hammered out a bland, careful report that could hardly cover the teeming emotions involved. The Jews endorsed affirmative action but not strict quota systems. (Jews do not generally support them, having been victims of quota restrictions in the past.) Busing wasn't even mentioned. The blacks endorsed Israel, but wouldn't rule out talking with the PLO. (Jesse Jackson's later trip to several Arab countries enraged many Jews.)

Assemblyman Rosenthal fears that the anti-busing sentiment has marked a change in the Jewish voter. "Jews as well as others are not happy with busing," he says, "but I fear it goes beyond that. Behind the screen, some may not believe in integration. In that way, they're not different from most people."

Most Jewish people who oppose busing will not admit it, of course. They insist that they consider busing and strict



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How many Jews are there in the California Legislature?

There are 11, 12, 13 or 14 — depending on where the line is drawn. According to Pat Rosenthal, wife of Assemblyman Herschel Rosenthal and unofficial secretary of the unofficial "Jewish Caucus," here is the lineup:

- ***Legislators of Jewish descent:*** Senators Marz Garcia, Milton Marks, Alan Robbins and Alan Sieroty; Assembly members Howard Berman, Leona Egeland, Jack Fenton, William Filante, Leroy Greene, Mel Levine and Herschel Rosenthal.
- ***Half-Jewish parentage:*** Larry Kapiloff.
- ***Converted to Judaism:*** Tom Bane.
- ***In process of converting:*** Richard Robinson.

quotas as threats to quality education. But that hits other minorities all wrong. They feel minorities should stick together, and they fear that the erosion of the minority coalition can only aid conservative causes and those espousing them.

Perhaps the future role of Jewish voters in California will be decided by the new Jewish political leaders, or — viewed another way — the political leaders who happen to be Jewish. It may depend on whether those from the Levine-Berman-Rosenthal-Waxman school are better advocates than those from the Fiedler-Robbins-Weintraub school.

And it depends on which "machine" is actually more in tune with the "me" times. As Yaroslavsky sadly concedes, "Talking about the liberal Jewish or liberal *anyone* voter may be like talking about dollars in 1970 terms."

Robbins' view

"I think that the Jewish community today reflects a philosophy similar to the overall community," says Alan Robbins, who is vice president of the National Association of Jewish Legislators. "There are Jewish liberals, Jewish conservatives, Jewish middle-of-the-roaders. That is a change from 20 years ago when the prevailing political opinion among Jews was extremely liberal. It is because the issues of the day, like busing and crime, affect them as much as everyone else."

Has the Jewish vote simply been assimilated into the American vote? Perhaps the Jewish-American now simply votes for issues or candidates who will enhance his or her own life, or at least not disrupt it. In that sense, there may be signs of progress — to a time when people won't write articles about Jewish voters — or women politicians or black issues.

Today, only one issue connects Jewish voters absolutely. That is Israel. So far, none of the Jewish politicians on the rise has taken less than a strong stand on that.

Beyond that, uncertainty and disagreements abound. As one longtime Democratic activist says, "Jewish politics have just become bad politics — like everyone else's."

Housing

Continued from page 142

less desirable parts of town, especially among first-home buyers.

Ward Connerly, a Sacramento consultant and specialist in housing and urban planning, feels that the basic issue is how much regulation will be imposed on the housing market. "Uppermost in the developer's mind" he says, "is how much is government going to tell me what to build and how to build it?" Connerly believes that California government has made a 180-degree turn in the past decade, away from an attitude that housing is strictly a private transaction, to heavy involvement, almost to the point of regulating prices. "The question of the 1980s," Connerly suggests, "is to what extent is the public sector going to insist the developer produce certain kinds of housing?"

Inclusionary trends

Since 1969 the state government has been telling local governments that they must draft plans to provide housing for all economic levels. A stepchild of that pressure is the inclusionary housing plan which requires a builder to sell a percentage of his new homes below market price to families in the moderate-income range. To reduce their losses, developers charge top dollar for regular housing and build the inclusionary units small and dense. Local governments sometimes kick in fast-track permit processing as an additional incentive.

The inclusionary idea has plenty of critics. Gillies, the California Association of Realtors lobbyist, calls it the Robin Hood approach to housing: Take from the rich and give to the poor. Says Gillies, "If society decides that certain people can't afford decent housing, then all of society, through the federal government, should provide housing in the way of subsidies. But with inclusionary housing, 75 percent of the people who buy in the development at market rate subsidize the 25 percent who buy below market rate, because the developer passes on the difference to them."

Adds Leidigh of Rural Legal Assistance: "We are going one of two ways. Lift the lid off local control and then it's 'Boys, go to it.' Or the other way, a general plan for the state in which we are going to be told 'Live here.' 'Play here.' 'Work here.' "

There are indications that state government is moving toward a bigger role in the housing field. Last year housing was one of the few state programs expanded by a fiscally conservative governor and Legislature. About $100 million was appropriated to build new low-cost rental housing units, the largest single amount any state has appropriated for that purpose. Under the Brown Administration, the California Housing Finance Agency has expanded from housing-code inspections into an agency with $1.5 billion dollars of revenue-bond authority available for loans on low- and moderate-income housing.

Speaker McCarthy, with Assemblywoman Teresa Hughes, introduced a package of housing proposals that would step up local development-permit practices, discourage local governments from barring low- and moderate-income housing through zoning, grant $350 million more for the California Housing Finance Agency and give authority for local governments to issue bonds for new rental development.

Other Assembly members have offered bills, too. Mike Roos has proposed increasing production of manufactured housing and mobile homes. Dennis Mangers has a bill to open up existing state housing assistance programs to include manufactured or mobile homes. Chet Wray has introduced a mobilehome tenants'-rights bill.

With all this legislative interest — and an expensive campaign beginning on behalf of an anti-rent control initiative in June — the building industry can be fairly confident that some change is coming in 1980. Whether that change will help buyers and renters as much as builders and investors remains to be seen.

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Complete list of candidates and assessment of all the races

By Ed Salzman

Despite the many months of commotion elsewhere in the nation over the presidential campaign, it will be issues — not candidates — that will attract the voters in the June 3rd state primary election. The California primary shapes up as strictly no contest, and there is only one statewide office on the ballot this year. What should bring out the electorate are three highly controversial initiative measures designed to reduce income taxes, prevent rent control and tax oil companies. (A special proposition-analysis booklet will be included in next month's *Journal*.)

California will probably not be a presidential hotspot for two reasons: Jimmy Carter has run roughshod over Ted Kennedy in the early contests; Ronald Reagan has an enormous advantage over George Bush under this state's winner-take-all GOP rule. But American politics can reverse field overnight, and there is the definite possibility that Carter could stumble or that Bush or other Republicans will choose to challenge Reagan on his home turf.

This election will have some interesting new twists:

- For the first time, the Libertarian Party qualified for official ballot standing. And the party has entered candidates for offices ranging from president to Assembly. How big a factor will the Libertarians become in November? And will they attract Democratic or Republican voters? A reading of registration statistics would indicate that the GOP will be hurt more than Democrats by the Libertarian effort.
- For the first time, a systematic campaign will be waged by a conservative group headed by state Senator H. L. Richardson against incumbent Superior Court judges. The campaign was originally designed to target a dozen judges, about half in Los Angeles. But the Richardson organization concedes that the anticipated opposition did not materialize against judges in Los Angeles County. Richardson's Law and Order Campaign Committee may now spend most of its campaign funds in superior- and municipal-judgeship races where there are no incumbents. And the emphasis may be in the San Francisco Bay Area rather than Los Angeles.
- The Republicans must try to find a way to block a Democratic reapportionment of the state's congressional and legislative districts next year. With Brown's presidential campaign faltering, Mike Curb will not be in a position to veto a redistricting bill. Gaining control of the Senate appears hopeless. That means that the GOP will probably apply maximum pressure on Democrats holding marginal Assembly seats. The first step for the GOP is getting electable Republicans nominated in June.
- The campaign-management firm of Butcher-Forde in Orange County is doubly involved in the United States Senate race. The firm is working both for the incumbent, Democrat Alan Cranston, and a Republican hopeful, state Senator John Schmitz. Butcher-Forde also represents Howard Jarvis. This means that the Jarvis organization will be backing an opponent (Schmitz) of Jarvis' former initiative partner, Paul Gann. And what will the firm do in the fall if Schmitz wins the right to challenge Cranston?

The most interesting primary contest in the state is taking place in the 31st Congressional District in Los Angeles County. The incumbent, Democratic Charles Wilson, has been weakened by allegations that he has misused public funds. He is being challenged by former Lieutenant Governor Mervyn Dymally and former Congressman Mark Hannaford.

President

Will there be a contested presidential primary in California this year? At the start of the year, that probably would have been a ridiculous question. At the time, it appeared that Jimmy Carter, Ted Kennedy and Jerry Brown would be engaged in a bitter struggle for the state's national-convention delegates. And there was also a good chance that the Republican Party's winner-take-all primary would disappear, unlocking Ronald Reagan's grasp on California GOP delegates. For a time, there was a strong chance that former President Gerald Ford would pump life into the state's presidential primary.

Despite the development of crises overseas and on the domestic economic front, Jimmy Carter seems to have assured himself the Democratic nomination. The early primaries have indicated that Democratic voters would prefer to have an ineffective Carter renominated than turn over party leadership to a Kennedy who cannot shake

the questions of Chappaquiddick or to a Brown who has been discredited in the East as some kind of kook. By the time the primary wagon reaches California, there probably won't be much of a contest left. And even if Kennedy and Brown choose to campaign in the state, the polls indicate that Carter will whip them soundly.

The Republican primary could be ferocious, except for the fact that the winner-take-all rule is still in effect for the Republican Party. At this point, it appears inconceivable that Ronald Reagan could finish second in his home state. The stop-Reagan movement failed narrowly in an attempt to qualify an initiative for the June ballot that would have wiped out the winner-take-all provision, a rule which has already disappeared in every other state. The way is still clear, however, for the winner-take-all provision to be challenged on the convention floor in Detroit this summer. That prospect is what makes it possible that the anti-

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Reagan forces will go to battle in California within the next two months.

Had California-resident Ford chosen to run, there undoubtedly would have been a bitter contest for the state's 168 delegates. George Bush can hardly be expected to give Reagan much of a test, and John Anderson will have to depend on switch-over Democrats to make a big showing in California. Can Bush, Anderson and any other miscellaneous candidates prevent Reagan from getting 50 percent of the GOP vote? Not very likely. That threshhold is important because a convention challenge to the winner-take-all rule would be doomed to failure unless Reagan's vote fell below 50 percent. This is because several other states have laws giving candidates all the delegates if he wins more than half the popular vote.

It is entirely possible, now that Ford has pulled himself out of the running, that Reagan will all but have the nomination in the bag by June 3rd and that there will be virtually no competition for delegates to either the Democratic or Republican convention.

Under California law, the secretary of state is empowered to place the names of recognized candidates on the ballot. Candidates withdrawing from the competition can remove their names by notifying the secretary of state's office by specified dates, which vary from party to party. The Democratic deadline has long since passed, and the names of Carter, Kennedy, Brown and Lyndon LaRouche will appear on the ballot. The other candidates selected by the secretary of state:

Republicans — Reagan, Anderson, Bush, Howard Baker, John Connally, Robert Dole and Philip Crane. American Independent — Sean Morton Downey Jr., John Rarick. Peace and Freedom — Barry Commoner, Deirdre Griswald, Gus Hall, Benjamin Spock, David McReynolds. (Libertarian Ed Clark will appear on the November ballot.)

United States Senate

Democrats: Incumbent Alan Cranston, David T. Rees of Los Angeles, Frank L. Thomas of Thousand Oaks, Richard T. Morgan of Madera.

Republicans: James A. Ware of Los Angeles, Paul Gann of Sacramento, Samuel W. Yorty of Los Angeles, John Schmitz of Orange County, Philip Schwartz of Santa Cruz, Brian Hyndman of San Diego, Roy Hanzlik of Pasadena.

Libertarian: David Bergland.

Peace and Freedom: David Wald.

American Independent: Jim Griffin of Norwalk.

On paper, two-term United States Senator Alan Cranston should win re-election with ease this year. He works hard and has risen to a position of power as Democratic whip in the Senate. He has moved from the far left to the Democratic center in recent years and has strong support from many Republicans. He is 65, but his age is no problem because he is in excellent health (and still competes in senior track meets) and looks like a kid next to the state's junior senator, S. I. Hayakawa.

Yet, Cranston is plenty worried about re-election this year. He will have no trouble in the Democratic primary, in which he faces three political unknowns. But November could be a different story even though the polls show he had a comfortable lead over the field. California senators have not enjoyed three-term longevity in recent years. Cranston fears that he could be hurt by the state's trend toward conservatism. And he knows that "non-political" Republicans like George Murphy, Ronald Reagan, Mike Curb and Hayakawa have done especially well in recent California elections. Will Paul Gann be added to the list of winners?

The 66-year-old Gann has only one thing to sell: his identification with the tax-cut movement. His views on foreign policy are unknown and unformulated. He has no experience handling domestic issues. But he has been very effective as a low-key salesman of the Jarvis-Gann property-tax measure and the "Spirit of 13" spending limitation proposition adopted by the voters last November. He is a candidate without negative images except among liberals. Gann is the early favorite to win the Republican primary because he has the backing of major figures within the party, and his campaign coffers are packed with gold.

Gann's prime opposition will probably come from the right in the person of state Senator John Schmitz of Orange County, a former American Independent Party candidate for president. Schmitz' major problem will be funds. But he has the Butcher-Forde campaign management firm in his corner and he could get the open support of Gann's former partner, Howard Jarvis. Schmitz is a vigorous, articulate spokesman for the conservative cause and undoubtedly would annihilate Gann in any face-to-face confrontation.

There are two other candidates of note in the Republican primary: perennial candidate James R. Ware, the GOP nominee for controller two years ago, and former Los Angeles Mayor Sam Yorty, a 70-year-old former Democrat.

House of Representatives

Only one California congressman, veteran Republican Bob Wilson of San Diego, will retire voluntarily from the House of Representatives this year. But there may be quite a few new faces in the delegation next year as a result of unusually spirited competition for House seats in this year's elections. The Democrats now hold a 25 - 18 majority in the delegation, and the Republicans could narrow the gap considerably in November.

In the June primary, there are two especially hot districts. In San Diego, the dollars are flowing freely in both party primaries for the seat held by the retiring Wilson. In Los Angeles County, Democratic incumbent Charles Wilson faces two strong challengers, former Lieutenant Governor Mervyn Dymally and former Congressman Mark Hannaford. The key to that race will be the size of the black vote turned out by Dymally. The Charles Wilson seat is rated safe for a Democrat in November.

Two veteran Democrats, delegation dean Bizz Johnson and James Corman, will face especially strong opposition in November. And the Republicans will also pull out the heavy artillery in an effort to defeat John Burton and Jim Lloyd.

The Democratic targets include Bob Dornan, Don Clausen and freshman Bill Royer. An active campaign will also be waged against Carlos Moorhead, who represents a changing district that may still be too Republican for any Democrat to win.

District 1 (55%D-35%R) — Democrats: Incumbent Harold (Bizz) Johnson of Roseville, Tim Loree of Citrus Heights, Joseph Gavagan of Paradise, Tracy Murphy of Auburn. Republican: Eugene Chappie of Roseville. Libertarian: Jim McClarin of Nevada City.

The 72-year-old Johnson is trying for his 12th term in the House. In November, he will face his toughest race in many a year against As-

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semblyman Gene Chappie.

District 2 (55%D-33%R) — Republican: Incumbent Don Clausen of Del Norte County. Democrats: Brian Kahn of Sonoma, Norma Bork of Angwin, Peter Windrem of Kelseyville, Dean Koethke of Eureka. Libertarian: Daniel Mosier of Arcata, Louis Beary of Penngrove. Peace and Freedom: Linda Wren of Santa Rosa.

Bork ran a close race against Clausen two years ago. This time, she will have to get past Kahn, a Sonoma County supervisor, for her second chance. Clausen could lose in November.

District 3 (60%D-31%R) — Democrats: Incumbent Robert Matsui and Ivaldo Lenci of Sacramento. Republicans: Raymond Vandegrift, Joseph Murphy, George Marsh, Jr., all of Sacramento. Libertarian: Bruce Daniel of Newcastle.

Matsui had to spend a fortune to win this seat in 1978. The opposition field is very weak this time.

District 4 (61%D-28%R) — Democrats: Incumbent Vic Fazio of West Sacramento, Wayne Cowley of Vacaville. Republicans: Harvey Taylor of East Nicolaus, Albert Dehr of Sacramento, Terry Joe Biffel of Vacaville. Libertarian: Robert J. Burnside of Davis.

Freshman Fazio won by 17,000 votes in 1978, could double the margin this year.

District 5 (55%D-27%R) — Democrat: Incumbent John L. Burton of San Francisco. Republican: Dennis McQuaid of Novato. Libertarian: Dan P. Dougherty of Kentfield.

Burton is a definite GOP target in this San Francisco-Marin district. McQuaid started early, and the race could be close.

District 6 (65%D-19%R) — Democrats: Incumbent Phil Burton, Tibor Uskert and Bob Barnes of San Francisco. Republicans: Tom Spinosa and Gordon Bloyer of San Francisco. Libertarian: Ray Childs of San Francisco.

This will be another easy election for Phil Burton, who will devote much of his effort to helping brother John.

District 7 (58%D-32%R) — Democrats: Incumbent George Miller of Martinez, Alexander Malick of Danville. Republicans: Giles St. Clair of Alamo. Libertarian: Steve Snow of Orinda. American Independent: Thomas Thompson of Richmond.

Miller should have a trouble-free re-election ride.

District 8 (62%D-26%R) — Democrat: Incumbent Ron Dellums of Oakland. Republicans: Charles Hughes of Berkeley, Tertius Chandler of Berkeley. Libertarian: Tod Mikuriya of Berkeley.

Dellums is safe for another two years, but reapportionment could hurt him in 1982.

District 9 (63%D-27%R) — Democrat: Fortney (Pete) Stark of Oakland. Republican: William Kennedy of Pleasanton. Libertarian: Steven Clanin of Livermore.

Stark should post another of his overwhelming victories in November.

Charles Wilson

Dymally

Hannaford

District 10 (63%D-25%R) — Democrat: Incumbent Don Edwards of San Jose. Republican: John Lutton of San Jose. American Independent: Edmon V. Kaiser of Fremont. Libertarian: Joe Fuhrig of Hayward.

Edwards needs only to file for re-election to be rated an easy winner.

District 11 (57%D-32%R) — Republican: Incumbent Bill Royer of Redwood City. Democrat: Tom Lantos of Hillsborough. Libertarian: William Wade Jr. of San Carlos. Peace and Freedom: William Branch of San Mateo. American Independent: Nicholas Kudrovzeff of Pacifica.

Royer won this seat in a special election following the assassination of Democrat Leo Ryan in Guyana. Lantos is an aggressive San Francisco State University economist who could make the race interesting.

District 12 (51%D-37%R) — Republicans: Incumbent Paul (Pete) McCloskey of Menlo Park, Royce Cole of Palo Alto. Democrats: Marc Strassman of Palo Alto, Kirsten Olsen of Atherton. Peace and Freedom: Adele Fumino of Palo Alto. Libertarian: Bill Evers of Palo Alto.

Cole, a physician, is the latest in a string of Republicans to challenge the maverick McCloskey in the GOP primary. McCloskey has faced tougher opposition in the past.

District 13 (52%D-36%R) — Democrat: Incumbent Norman Mineta of San Jose. Republican: Wilfred Gagne of Saratoga. Libertarian: Ray Strong of San Jose. Peace and Freedom: Robert Goldsborough of Cupertino.

The Republicans were hoping to mount a strong campaign against Mineta this year, but the best potential GOP candidates went hunting in fields with easier prey.

District 14 (56%D-35%R) — Republican: Incumbent Norman Shumway of Stockton. Democrats: Ann Cerney of Lodi, Ron Richards of Calaveras County. Libertarian: Douglas Houseley of Jamestown.

Shumway defeated Democrat John McFall two years ago and probably should win again in November. The district has favorable registration for a Democrat, but loyalty is low. Richards is chairman of the Calaveras board of supervisors, and Cerney has Democratic Party connections.

District 15 (62%D-30%R) — Democrat: Incumbent Tony Coelho of Hilmar. Republican: Ron Schwartz of Fresno. Libertarian: Michael Pullen of Modesto.

Coelho replaced his former boss, Bernie Sisk, two years ago. With Coelho's attention to detail, he might become as much of an institution as his former leader.

District 16 (53%D-35%R) — Democrat: Incumbent Leon Panetta of Carmel Valley. Republican: Wallace Roth Jr. of Pacific Grove. Libertarian: Kenton Bowers of Salinas. American Independent: Jeff Mauro of Santa Cruz.

This is a marginal district, but Panetta is one of the state's smartest campaigners. He should win again.

District 17 (56%D-36%R) — Republican: Incumbent Charles Pashayan of Fresno. Democrats: David Creighton of Fresno, Willard Johnson of Selma, Anthony Garza of Fresno.

Two years ago, Pashayan unseated Democrat John Krebs. Fresno County Supervisor Johnson could give Pashayan stiff competition this year.

District 18 (55%D-38%R) — Republicans: Incumbent William Thomas of Bakersfield, Michael D. Berry of Bakersfield. Democrats: Mary (Pat) Timmerman of Bakersfield, Barry Gorelick of Los Angeles.

Thomas won't be tested in 1980.

District 19 (52%D-36%R) — Republican: Incumbent Robert J. Lagomarsino of Ventura. Democrat: Carmen Lodise of Isla Vista. Libertarian: James Trotter of Car-

How this analysis was compiled

Candidate lists and voter-registration statistics were obtained from the secretary of state's office. There may have been some minor changes since this report was compiled because of possible disqualification of candidates and the normal fluctuation in registration figures.

Districts designated with the keyhole symbol are those in which the primary-election outcome is considered particularly significant.

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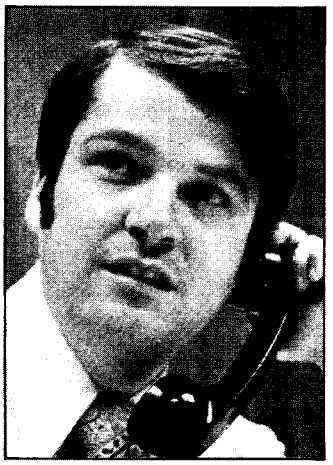
Lowery



Bob Wilson

Jim Bates

penteria.
Lagomarsino has become a political institution on the central coast.

District 20 (48%D-43%R) — Republican: Incumbent Barry Goldwater Jr. of Woodland Hills. Democrat: Matt Miller of Camarillo. Libertarian: Christopher Darwin of Agoura.
The Goldwater name is magic in both Arizona and California.

District 21 (62%D-30%R) — Democrat: Incumbent James Corman of North Hollywood. Republicans: Bobbi Fiedler of Northridge, Pat O'Brien of North Hollywood. Libertarian: George Lehmann of Los Angeles. Peace and Freedom: Jan B. Tucker of North Hollywood.
Anti-busing leader Fiedler, a member of the Los Angeles city board of education, is challenging veteran Democrat Corman. The busing issue may eradicate the heavy Democratic registration in the district. This will be one of the state's most bitterly fought political battles.

District 22 (46%D-46%R) — Republican: Incumbent Carlos Moorhead of Glendale. Democrats: Pierce O'Donnell of Altadena, Stanley Sapiro of Los Angeles. Libertarian: William Susel of Sylmar.
The 22nd district used to be considered rock-solid Republican. The area has been becoming more Democratic, and that's the main hope of O'Donnell, a lawyer with potent political connections. The district probably is still Republican enough to keep Moorhead in office until the next redistricting.

District 23 (63%D-29%R) — Democrats: Incumbent Anthony Beilenson and Eileen Anderson of Beverly Hills. Republican: Bob Winckler of Woodland Hills. Libertarian: Jeffrey Lieb of Los Angeles.
Anderson campaigns by bursting into song. But the voters will vote the Beilenson tune.

District 24 (62%D-28%R) — Democrats: Incumbent Henry Waxman and Roland Cayard of Los Angeles. Republican: Jerry Zerg of Los Angeles. Libertarian: Robert E. Lehman of Los Angeles. American Independent: Jack Smilowicz of Los Angeles. Peace and Freedom: Maggie Feigin of Los Angeles.
Waxman will continue to wield a big stick in Washington and in Sacramento (through his political partnership with Howard Berman).

District 25 (71%D-19%R) — Democrat: Incumbent Ed Roybal of Los Angeles. Republican: Richard Ferraro Jr. of Los Angeles. Libertarian: William Mitchell of Los Angeles.
With this term, Roybal will complete 20 years in Congress.

District 26 (47%D-46%R) — Republican: Incumbent John Rousselot of San Gabriel. Democrat: Joseph Lisoni of Arcadia. Libertarian: William Wagner of Los Angeles.
Attorney Lisoni is nothing more than the Democratic sacrificial lamb.

District 27 (49%D-41%R) — Republican: Incumbent Robert Dornan of Santa Monica. Democrats: Carey Peck of Santa Monica, Gary Dubin of Marina del Rey, David Alkire of Santa Monica. Libertarian: Jerry Sievers of Los Angeles.
Two years ago, Peck came within a whisker of defeating the controversial Dornan. The son of actor Gregory Peck will spend another bundle this time to go over the top. A tight race is forecast.

District 28 (76%D-16%R) — Democrat: Incumbent Julian Dixon of Los Angeles. Republicans: P. J. Gladnick of Los Angeles, Robert Reid of Culver City. Libertarian: Ernest Ghermann of Los Angeles.
Republicans are wasting their time in this constituency.

District 29 (85%D-10%R) — Democrat: Incumbent Augustus Hawkins of Los Angeles. Republican: Michael Hurt of Los Angeles. Libertarian: Earl Smith of Los Angeles.
Politicians have grown old waiting for the 72-year-old Hawkins to retire.

District 30 (72%D-21%R) — Democrat: Incumbent George Danielson of Monterey Park. Republican: J. Arthur Platten of El Monte. Libertarian: Bruce Hobbs of El Monte.
Danielson should win in a runaway come November.

District 31 (75%D-18%R) — Democrats: Incumbent Charles H. Wilson of Hawthorne, Mark Hannaford of Paramount, Happy Henschel of Gardena, Emanuel Gary Jr. of Inglewood, Mervyn M. Dymally of Los Angeles. Republicans: Don Grimshaw of Lawndale, Arnold Johnston of Hawthorne.
This is the most interesting primary contest in the state. Wilson has been charged with mishandling of public funds. He is being challenged by former Lieutenant Governor Mervyn Dymally, who can count on a heavy black vote, and by former Congressman Hannaford, who was defeated in another district two years ago. Hannaford is attacking both Dymally and Wilson, trying to paint himself as the only Mr. Clean in the race. The black turnout could win the race for Dymally.

District 32 (64%D-28%R) — Democrats: Incumbent Glenn M. Anderson of Harbor City, Edward Jamison of Long Beach. Republicans: Ida Bader of Lomita, John R. Adler of Torrance. Libertarian: Thomas Cosgrove of San Pedro.
Former Lieutenant Governor Anderson has found a home in Congress

District 33 (55%D-38%R) — Republicans: Incumbent Wayne Grisham of La Mirada, Mike Manicone of Downey. Democrats: Paul Servelle of Hacienda Heights, Nick Mull of Cerritos, Fred Anderson of Whittier.
Grisham took this seat in a free-for-all two years ago. He should be able to hold it for a while.

District 34 (54%D-38%R) — Republican: Incumbent Dan Lungren of Long Beach. Democrats: Ivan Lynch of Lakewood, Simone of Los Alamitos, Jim McNab of Long Beach, David Yachimowicz of Long Beach. Peace and Freedom: John Donohue of Long Beach.
Freshman Lungren won't be a prime Democratic target this time around.

District 35 (52%D-40%R) — Democrats: Incumbent Jim Lloyd of West Covina, Richard Anderson of West Covina. Republicans: Russ Blewett of Upland, Dan Feldman of Covina, David Dreier of Claremont, Cecil Osoff of Claremont, Walter Hollywood of Arcadia, Frances Livingston of Pomona. Peace and Freedom: Mike Noonan of Claremont.
Republicans are convinced they can defeat Lloyd in this marginal district, but they have failed three times. The 28-year-old Dreier was the 1978 victim. He may have trouble winning the GOP nomination against Blewett, a businessman with local government experience.

District 36 (59%D-30%R) — Democrats: Incumbent George Brown Jr. of Riverside, Gary Wedge of Riverside. Republicans: Dennis Mansfield of Rialto, Ed Vallen of Fontana, John Paul Stark of San Bernardino. Libertarian: Harry J. Histen of Riverside.
Brown, once an outspoken liberal, has been relatively quiet in recent years. He keeps winning with large majorities.

District 37 (49%D-42%R) — Republicans: Incumbent Jerry Lewis of Highland, Bud Mathewson of Banning, George Beardsley of Hesperia, Charles Maciejewski of Highland. Democrat: Donald Rusk of Redlands. Libertarian: Larry Morris of Highland.
The large field is deceptive. Lewis should have no trouble winning a second term.

District 38 (54%D-34%R) — Democrat: Incumbent Jerry Patterson of Buena Park. Republicans: Art Jacobson of Los Alamitos, Ernest Wiley of Cypress. Libertarian: Chuck Heiser of Los Alamitos.
Patterson is stronger than the Democratic reg-

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Lloyd

istration in this Orange County district.

District 39 (44%D-46%R) — Republican: Incumbent William Dannemeyer of Fullerton. Democrat: Leonard Lahtinen of Anaheim.

Freshman Dannemeyer is probably starting a long run on the Potomac.

District 40 (38%D-49%R) — Republicans: Incumbent Robert Badham of Newport Beach, Jack Utter of Laguna Niguel, Richard Gardiner of Fountain Valley. Democrats: Bas Roman of Laguna Niguel, Michael Dow of Balboa Island. Libertarian: Dan Mahaffey of Huntington Beach.

This is the most Republican congressional district in California, and Badham should have no trouble batting away the competition in the primary.

District 41 (47%D-38%R) — Republicans: Quincy J. Workman, Bill Lowery, Dan McKinnon and Michael Gomez of San Diego. Democrats: Bob Wilson of La Mesa, Jim Bates and Ron Buckley of San Diego, Arthur Sanders of Poway. Libertarian: Joseph Allredge of La Jolla.

With the retirement of veteran Republican Bob Wilson, all hell broke loose in this district. There are bitter fights in both major-party primaries with San Diego County Supervisor Bates and state Senator Wilson the main contenders for the Democrats and radio station owner McKinnon and San Diego Councilman Lowery for the GOP. Wilson has a magic name in San Diego politics, but Bates might beat him. Lowery is the GOP organization choice, but McKinnon started a TV blitz early and could win it all. (McKinnon's father once held the seat.)

District 42 (58%D-29%R) — Democrats: Incumbent Lionel Van Deerlin of Chula Vista, Samuel Bagwell of San Diego, Lois Bodle of Chula Vista. Republicans: Duncan Hunter of Coronado, Michael McQuillar of Chula Vista.

The size of the field is somewhat deceptive. Van Deerlin should romp as usual.

District 43 (43%D-44%R) — Republican: Incumbent Clair Burgener of La Jolla. Democrats: Edward Skagen of Julian, Tom Metzger of Fallbrook, Bud Higgins of Solana Beach.

Burgener has a safe seat. Skagen, San Diego county Democratic chairman, put himself up as the sacrificial lamb. Metzger is the grand dragon of the Ku Klux Klan.

State Senate

The Republicans have virtually no chance of taking control of the state Senate in this year's elections. Of the 21 seats being contested (including one special election in Santa Clara County), 11 are now held by Republicans and 10 by Democrats. The Democrats hold a 23 - 16 advantage in the Senate, and most of the majority party's incumbents appear invulnerable. The Republicans have a good chance of picking up the San Diego seat being vacated by Democrat Bob Wilson as well as the 12th District seat being contested in a special election. But the GOP probably will lose two seats now held by Republicans not seeking election, John Nejedly and Robert Nimmo. The only Democratic incumbent facing a strong November challenge is John Garamendi, who represents a large mountain-valley district in Northern California. The long-range forecast is for not much change in the partisan composition of the Senate.

District 1 (56%D-35%R) — Republican: Incumbent Ray Johnson of Chico. Democrat: Donald Huggins of Susanville. Libertarian: Stephen Sparling of Nevada City.

The 68-year-old Johnson will not face a severe test this year in his huge northeastern district.

District 3 (60%D-30%R) — Democrats: Incumbent Albert S. Rodda of Sacramento, Charles R. Kirks of Orangevale. Republicans: Merrillyn Carson of Sacramento, John T. Doolittle of Citrus Heights, Nessie Paul of Carmichael, Robert Ralls of Fair Oaks.

Depsite the large field, Rodda is not in trouble. At 67, he is probably running for his last term. Best known of the Republicans is Carson, recently recalled from a suburban Sacramento school board.

District 5 (64%D-18%R) — Republican: Incumbent Milton Marks of San Francisco. Libertarian: Eric Garris of San Francisco.

Republican Marks votes like a Democrat, works his district like a lettuce farmer. Despite the overwhelming Democratic registration, Marks keeps winning and top Democrats are reluctant to challenge him.

District 7 (59%D-32%R) — Democrats: Daniel E. Boatwright of Concord, George E. Dye of Antioch. Republican: J. J. Jarboe of Martinez. American Independent: Joe Garner of Pinole. Libertarian: Frank White of Martinez.

With Republican incumbent John Nejedly retiring, this seat should be captured by Boatwright, chairman of the Assembly Ways and Means Committee.

District 9 (63%D-26%R) — Democrats: Incumbent Nicholas Petris of Oakland, Joseph Spott of Orinda. Republicans: Perry Brown of Berkeley, Herbert Clayton of Oakland, Todd L. Roust of Oakland.

Frank Mesplé internship fund

The Frank Mesplé Internship Fund was created last October to assist students assigned to the *California Journal* for the observation of state and local government and for the preparation of articles for publication in the *Journal*.

The fund was founded by the *Journal's* board of directors in memory of Frank Mesplé, who had served as a government professor, legislative advocate, gubernatorial aide and wit-about-town. The purpose of the fund is to carry on Mesplé's deep commitment to the youth of California and to the democratic process.

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Peace and Freedom: Tom Condit of Berkeley. Libertarian: Raymond Diamond of Oakland.

The large field might indicate that incumbent Petris is vulnerable. He should win re-election by a wide margin in this liberal Berkeley-Oakland district.

District 11 (59%D-30%R) — Democrat: Incumbent Alfred Alquist of San Jose. Republican: Richard Arey of Fremont. Libertarian: John R. Redding of San Jose.

Alquist is the only Democrat from Santa Clara who doesn't face a stiff test this year. He's 71 and probably seeking his last term.

District 13 (56%D-34%R) — Democrats: Incumbent John Garamendi of Walnut Grove, Bruce Grego of South Lake Tahoe. Republicans: William Van Dyke Johnson of South Lake Tahoe, Carl Burton of Lodi.

The Republican Party will put its money behind Johnson, an El Dorado County supervisor, in an effort to unseat Garamendi. The incumbent is a strong campaigner with statewide aspirations. He won't be easy to beat.

District 15 (56%D-37%R) — Democrat: Incumbent Rose Ann Vuich of Dinuba.

Vuich, first woman ever to sit in the Senate, won four years ago in a surprise. This time, she won't have to do anything to win, except keep write-in candidates away.

District 17 (53%D-37%R) — Republicans: Raymond Hack of Salinas, Carl E. Seastrand of Salinas. Democrat: Henry Mello of Watsonville. Libertarian: Tim Kilburn of Santa Cruz.

Democrats have an excellent chance of winning this seat, now held by Republican Bob Nimmo, who is retiring. Assemblyman Henry Mello is probably the ideal Democratic candidate for the district. The Republicans will spend money trying to hold the district, which has marginal registration. Seastrand is a familiar name on the ballot.

District 19 (50%D-42%R) — Republicans: Robert C. Cline of Woodland Hills, Ed Davis of Chatsworth. Democrats: Bobby Baker of Woodland Hills, Arthur Bronson of Woodland Hills, James Bullock of Sylmar, Rosemary Woodlock of Woodland Hills. Libertarian: Carl Stiffler of Canoga Park.

Veteran Senator Lou Cusanovich is giving up this relatively safe Republican constituency. Former Los Angeles Police Chief Ed Davis is the early favorite to replace him, but Assemblyman Bob Cline will give him stiff competition.

District 21 (46%D-47%R) — Republican: Incumbent Newton Russell of Glendale. Democrat: Samuel Cogar of Glendale. Libertarian: Ed Ogawa of Pasadena.

This will be an easy year for Russell.

District 23 (63%D-26%R) — Democrat: Incumbent David Roberti of Los Angeles. Republicans: John McDowell and Norman White, both of Los Angeles. Libertarian: Zack Richardson of Los Angeles. American Independent: Kevin Scanlon of Los Angeles.

Roberti, the Democratic floor leader in the Senate, will be able to concentrate on helping some of his colleagues.

Davis

Cline

Boatwright

District 25 (47%D-47%R) — Republican: Incumbent H. L. Richardson of San Gabriel. Democrat: Toby Boothroyd of Sierra Madre. Libertarian: Bruce Staller of Monrovia.

Richardson can take re-election for granted and work on his campaign to fight gun control and to reform the judiciary.

District 27 (51%D-40%R) — Republican: Incumbent Robert G. Beverly of Manhattan Beach. Democrat: Dave Buckland of Torrance. Libertarian: Stanley Howard of Manhattan Beach.

April 8th special election

The 1980 election season gets under way April 8th with a special state Senate election in Santa Clara County. Being contested is the seat vacated by Democrat Jerome Smith, who was appointed by Governor Brown to the appellate court. Registration in the district is 52 percent Democratic, 38 percent Republican — open to victory by either party.

Republican leaders are supporting college professor Gloria S. Hom of Santa Clara, although there is another strong GOP candidate, Dan O'Keefe, a Cupertino city councilman. By far the best known Democrat in the field is Supervisor Rod Diridon of Santa Clara. Other Democrats: Shirley Hendrickson of Cupertino, Jack Armstrong of Campbell, Shelley Williams of Santa Clara, Bill Kiely Jr. of Santa Clara. The Libertarian candidate is William White of Los Altos.

Under special election rules, all names will appear on the ballots of every voter, regardless of party. If any one candidate gets a majority of all votes cast, he or she will be certified as the winner. Usually, however, no candidate gets a majority in a field this large. In that event, the runoff will be consolidated with the statewide primary election June 3rd. At that time, the names of the highest votegetters in each party will appear on the ballot.

Beverly won by more than 40,000 votes four years ago, should do even better this year.

District 29 (84%D-11%R) — Democrat: Incumbent Bill Greene of Los Angeles. Republican: Timothy Faulkner of Southgate. Libertarian: Charles J. Thomas of Los Angeles.

This is one of the safest Democratic districts in the state.

District 31 (60%D-33%R) — Republican: Incumbent Ollie Speraw of Long Beach. Democratic: Robert E. Fronke of Long Beach.

Speraw won this seat in a hard-fought special election last year. His opponent will be the Long Beach city auditor, Robert Fronke, who could make the race close with adequate backing.

District 33 (55%D-38%R) — Republican: Incumbent Bill Campbell of Hacienda Heights. Democrat: Bob Epple of Norwalk.

Republican floor leader Campbell is looking beyond this election to a statewide race in 1982.

District 35 (45%D-47%R) — Republicans: Incumbent John V. Briggs of Fullerton, Bill Dougherty of Villa Park. Democrat: Louis D. Velasquez of Fullerton. Libertarian: James N. Grover of Anaheim. Peace and Freedom: Frank Boeheim of Santa Ana.

The controversial Briggs showed signs of weakness in his last Senate campaign. He should win again, but not with ease. Velasquez is a member of the Fullerton city council.

District 37 (55%D-36%R) — Democrat: Incumbent Paul Carpenter of Cypress. Republican: Dewey Wiles of Midway City.

This is a marginal district, but Carpenter has more appeal for Republicans than Democrats and should win handily.

District 39 (49%D-39%R) — Republicans: Jim Ellis, Mike Schaefer and Fred Schnaubelt, all of San Diego. Democrats: Dan Finnigan and Art Letter of San Diego.

Assemblyman Jim Ellis is the favorite to win this seat, currently held by a Democrat, Bob Wilson. Schnaubelt is a member of the San Diego city council, and Schaefer is a familiar political figure in San Diego. The Democrats don't expect to hold the seat.

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Santa Clara County: GOP land of opportunity

By DALE LANE

Santa Clara County's little Democratic power center in Sacramento will undergo major changes this election year — and maybe a loss of voltage. Three of the county's six Democratic seats in the Legislature are open, as is the lone Assembly spot now held by a Republican. In addition, Democratic Assemblyman Alister McAlister, faces a primary challenge that is related to the Howard Berman-Leo McCarthy fight over the speakership.

Republicans have an outside chance of winning in five of the county's seven legislative districts. That long-short possibility would reverse the present Democrat-Republican ratio.

A variety of factors are at work. A referendum to repeal city and county gay rights ordinances could play a big role in the 12th Senate District special election. The tax revolt and fears brought on by double-digit inflation figure in all the contests and could spark a Republican resurgence in a Democratic county. Then there is the speakership struggle. Taken together, these factors make Santa Clara County the hottest election site in the state.

Egeland's problems

Three-term Assemblywoman Leona Egeland was under fire before her last-minute decision not to seek re-election. The Democrat who emerges as the nominee in the Egeland district will face in November an opponent with high name identification, Larry Pegram, the San Jose City Council's only Republican. Veteran County Supervisor Dominic Cortese is the best known of the candidates in the Democratic primary. Pegram's handicap is a City Hall scandal that casts something of a shadow over all council members. Councilman Al Garza, sometimes a Pegram political ally, has been indicted on a bribery charge.

An outspoken Berman supporter, Eugene Flemate, is challenging veteran Assemblyman Alister McAlister in the 25th District Democratic primary. Flemate heads the lawyers' wing of the Chicano political organization La Raza. Although this should be McAlister's toughest primary fight since he first ran in 1970, he is expected to survive it. Heavy Democratic registration in the district makes McAlister's November prospects look good, too.

The first test, though, comes April 8th in a special election for the 12th Senate District seat vacated by Democrat Jerry Smith, now an appellate court justice. All candidates, regardless of party, will be on a single ballot. If no one gets a majority, the top Democrat and Republican will go at it in a June 3rd runoff.

Democratic County Supervisor Rod Diridon got the jump on his rivals. He had already put together a substantial organization and some financing to run against Republican Congressman Pete McCloskey. He simply changed targets when Smith's surprise judicial appointment came through. Diridon is seen as a slight favorite, but he has problems. On the June ballot there will be a referendum measure to repeal the gay rights ordinances. Diridon actively supported the county ordinance. Also pending is a recall action that grew out of the gay rights controversy. Recent revelation that Diridon once was a member of Tom Hayden's Campaign for Economic Democracy gives Republicans a weapon in the affluent West Valley towns of Los Altos, Los Altos Hills, Saratoga, Monte Sereno, Cupertino and Los Gatos. Even so, Diridon's candidacy has frozen out other name Democrats.

The state and county GOP organizations have settled on Gloria Hom as their candidate. A community college political science instructor, she stands five feet tall, weighs 90 pounds and is the American-born daughter of a Nationalist Chinese diplomat. Hom is a lively candidate, bright and articulate. The Democratic voter registration of only 51 percent gives the GOP a shot at Smith's old seat.

The Vasconcellos target

Assemblyman John Vasconcellos again is a Republican target. Despite a 60 percent Democratic registration in his 23rd Assembly District, he is by no means a sure thing to defeat Republican Auralee Street, a Santa Clara councilwoman. Though Vasconcellos has represented the area since 1966, his humanistic rhetoric still makes some people uneasy.

The Republicans have a good chance in the 21st Assembly District, where Democrat Vic Calvo is not seeking re-election. In 1968, former Sunnyvale Councilman Greg Morris came within 5,000 votes of upsetting Calvo. Morris, an attorney and former policeman, has the GOP primary to himself this year. In the Democratic primary, Palo Alto Councilman Byron Sher, a Stanford law professor, is favored to beat John Bostic of East Palo Alto. A Sher-Morris contest could be close.

Retirement of Republican Assemblyman Richard Hayden leaves the 22nd District seat open. Four candidates, each with a measure of support, seek the Republican nomination to suceed Hayden. Jimmie the Greek would have trouble setting odds in that primary. The Democrats have settled on Cole Bridges, former Saratoga mayor and a businessman of moderately conservative image. He may be the ideal Democratic candidate for this suburban foothill district.

Through all the turmoil serenely sails the dean of the Santa Clara County delegation, Democratic Senator Al Alquist. At 71, he appears headed for a fifth term in a heavily Democratic district.

No matter how the elections go, the county has lost its two quick achievers. Jerry Smith wasted no time in joining the inner circle of the Senate Rules Committee and then moved on to head Judiciary.

The more low-key Calvo was just about as effective. As a freshman, he was named to Ways and Means and later succeeded Charles Warren as chairman of the Assembly Resources, Land Use and Energy Committee. Both Smith and Calvo got on well with mercurial Governor Jerry Brown.

Dale Lane is the political editor of the San Jose Mercury News.

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Assembly

If the Republicans are to prevent a Democratic reapportionment of the state's congressional and legislative districts next year, they must gain control of the Assembly in this November's election. It does not appear that Jerry Brown will abandon the governor's office nor that the GOP can gain much in the Senate. There is a possibility, however, that the Republicans can make substantial gains in the Legislature's Lower House. It will take a net gain of 10 seats in the 80-member house to bring the parties to a position of equality. With a 40 - 40 Assembly, neither party could work its redistricting will. Even the Democrats concede that they will not be able to hold the current 50 - 30 advantage. The only question is how many seats the GOP will pick up. In some cases, the Republican opportunities will depend somewhat on the outcome of the June primaries. In other cases, there are bitter primary contests that will have no effect on the balance of partisan power. In a few districts, the competition is between candidates backed by Speaker Leo McCarthy and the man who is attempting to oust him, Howard Berman. All in all, the Assembly is where the action will be this year in California.

District 1 (57%D-34%R) — Republican: Incumbent Stan Statham of Chico. Libertarian: Jeffrey Liebling of Fort Jones. Peace and Freedom: David Misso of Tulelake.

Statham was unopposed two years ago, and this year seems to have only minor-party opposition. However, liberal Libertarian Liebling may try to win the Democratic nomination by write-in and run a full-scale campaign in the fall. Even then, Statham would be a heavy favorite.

District 2 (58%D-31%R) — Democrat: Incumbent Douglas Bosco of Occidental. Republican: James S. Potts Jr. of Loleta. Libertarian: Charles Garth of Eureka. Peace and Freedom: Dennis Maxson of Windsor.

Bosco won his first term by a surprisingly large margin two years ago. The district is not loyal to Democrats, and some year a Republican tide could catch him.

District 3 (54%D-37%R) — Republicans: Wally Herger of Rio Oso, Robert Winston of Oroville, Joe Brouillette of Loomis, Robert Graham of Rocklin. Democrats: Jim Pharris of Olivehurst, George Garcia of Yuba City, Phillip Youngdahl or Oroville, Byron Claiborne of Roseville, Gordon Colby of Auburn, Jerry Lee of Roseville, Alex Ferreira of Newcastle. Libertarian: Edward Martini of Nevada City.

The large field is prompted by the decision of Republican incumbent Eugene Chappie to run for Congress. In a race of this type, it is difficult to handicap the field. The district is large, and community loyalty can be a major factor. There are four county supervisors in the race, Ferreira of Placer, Winston of Butte, Pharris of Yuba, and Garcia of Sutter. Claiborne is a Roseville councilman. Businessmen Lee and Harger are major factors in the race.

District 4 (60%D-29%R) — Democrat: Incumbent Tom Hannigan of Fairfield. Republican: William Cecil of Sacramento. Libertarian: Clint Bolick of Davis.

Hannigan, one of the more impressive newcomers to the Legislature, won't have to work hard to get re-elected this year.

District 5 (59%D-31%R) — Republican: Incumbent Jean Moorhead of Sacramento. Democrats: Stephen Franks of Carmichael, Ted Sheedy of Sacramento.

Moorhead won this traditionally Democratic seat two years ago in part because the Democratic candidate was weak. Sheedy, a Sacramento County supervisor, is planning a big-budget campaign to win the seat. Moorhead is popular in the community, and Sheedy's bankroll may not be nearly enough to beat her.

District 6 (61%D-30%R) — Democrats: Incumbent Leroy F. Greene of Carmichael, Joan Reiss of Sacramento. Republicans: Daniel Benvenuti of Sacramento, Susan Bibow of Rancho Cordova, Stewart Green of Sacramento. Peace and Freedom: John Charles Reiger of Sacramento.

Environmentalist Reiss came within shooting distance of the veteran Greene two years ago and never stopped running. The race looks tight. The Republican interest was prompted by the possibility that there will be no incumbent in the contest in November. This is traditionally a Democratic district, but Sacramento has been moving rightward.

District 7 (55%D-36%R) — Democrats: Incumbent Norman Waters of Plymouth, Joseph Baker of Sacramento. Republicans: John Fox of Sloughhouse, Dan Parises of Lodi, Frederick Stevens of El Dorado Hills.

Waters didn't have an opponent two years ago, and he probably won't be a primary GOP target this year even though the district can be carried by either party.

District 8 (57%D-34%R) — Democrats: Larry Asera of Vallejo, Gary Passarino of Santa Rosa. Republicans: Don Sebastiani of Sonoma, Bob Dwyer of Napa. Peace and Freedom: Joseph Hawkes of Santa Rosa.

This seat, held by Democrat Mike Gage, is up for grabs. The Republicans think they have a hot prospect in young Sebastiani, whose family name appears on wine bottles throughout the country. The early Democratic leader is Asera, a Solano County supervisor. Asera is the highest-ranking officeholder of Filipino descent in the history of the country. Incumbent Gage quit the Legislature to pursue more rewarding endeavors.

District 9 (52%D-34%R) — Republicans: Incumbent William Filante of Greenbrae. Democrats: Arnold Baptiste of Novato, Alex Brown of Lagunitas, Anne Charles of Kentfield, John Davids of Mill Valley. Peace and Freedom: Carl Duncan of Rohnert Park.

Filante took this seat away from a Democrat two years ago and now will have to fight to keep it. The most active Democratic candidate is Charles, a leader in the National Women's Political Caucus.

District 10 (52%D-39%R) — Democrat: Eric Hasseltine of Danville. Republicans: James Hazard of Walnut Creek, William Baker of Danville, John Baie of Concord. Libertarian: H. S. James of Walnut Creek.

This seat is being abandoned by Democrat Dan Boatright, who is running for the Senate. The Democrats have a well-known candidate in Contra Costa County, Supervisor Hasseltine. The Republicans held this seat a few years ago and want it back. Hazard, a Walnut Creek councilman, has the advantage in the GOP primary.

District 11 (68%D-24%R) — Democrats: Nello Bianco of Richmond, Bob Campbell of Richmond. Republican: William F. Birka III of Pleasant Hill. Libertarian: John Corl of El Sobrante. American Indepedent: Theresa Dietrich of El Sobrante.

This is an open contest because of the retirement of Assembly dean John Knox. The race boils down to Democrats Campbell, a Richmond councilman; and Bianco, a rapid-transit director. The November election is irrelevant.

District 12 (57%D-32%R) — Democrat: Incumbent Tom Bates of Oakland. Republican: William J. Sullivan of Piedmont. Libertarian: Kelly Haughton of Oakland. Peace and Freedom: Hilda Cowan of Oakland.

In 1978, Republican Robert Niemann came within shooting distance of Bates, giving the GOP hope that they could win this seat. Bates should be able to keep his job in this Berkeley-Oakland district even if the GOP brings heavy artillery into the contest.

Greene **Reiss** **Bianco** **Campbell**

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District 13 (7[illegible]%D-18%R) — Democrat: Incumbent Elihu Harris of Berkeley. Libertarian: Albert Heitzmann of Berkeley.
Harris is as safe as Democrats come this year.

District 14 (72%D-21%R) — Democrat: Incumbent Bill Lockyer of San Leandro.
Lockyer will be devoting his attention this year to helping candidates friendly to the Berman cause.

District 15 (60%D-30%R) — Democrats: Incumbent Floyd Mori of Pleasanton, Charles Santana of Hayward. Republicans: Gilbert Marguth Jr. of Livermore, Jim Mills of Livermore.
This will be one of the year's hotspots. Mori is in trouble because of adverse publicity over the use of a state-paid vehicle. His primary opposition will come from Santana, an Alameda County supervisor. If Mori makes it through June, he will face a tough opponent in November, former Livermore mayor Marguth.

District 16 (67%D-16%R) — Democrat: Incumbent Art Agnos of San Francisco. Republican: Larry Jenkins of San Francisco. Libertarian: Justin Raimondo of San Francisco.
Agnos isn't worrying nearly so much about his own race as he is about keeping his old boss, McCarthy, in the speakership saddle.

District 17 (62%D-20%R) — Democrat: Incumbent Willie L. Brown Jr. of San Francisco. Republican: Thomas Crary of San Francisco. Peace and Freedom: Andrew P. Kangas of San Francisco. Libertarian: Marshall E. Schwartz of San Francisco.
This should be another easy ride for the fashion plate of the Legislature, Willie Brown.

District 18 (68%D-23%R) — Democrat: Incumbent Leo T. McCarthy of San Francisco. Republican: Thomas F. Gede of San Francisco. Libertarian: Mark Read Pickens of San Francisco.
This is the least of McCarthy's political problems.

District 19 (60%D-31%R) — Democrat: Incumbent Louis J. Papan of Millbrae. Republican: James J. Tucker of Daly City. Libertarian: Gwendolyn Baba of Hillsborough.
The Republicans took a poll indicating that Papan, rough-and-tumble lieutenant to Speaker Leo McCarthy, might be beaten. The GOP hope is Tucker, a Daly City councilman.

District 20 (50%D-40%R) — Repubican: Incumbent Robert Naylor of Menlo Park. Democrat: Guillermo Tovar of San Carlos. American Independent: Richard Grossman of Belmont.
This San Mateo County district has a GOP tradition and Naylor should win a second term with little difficulty.

District 21 (55%D-33%R) — Democrats: Byron D. Sher of Palo Alto, John B. Bostic of East Palo Alto. Republican: Greg Morris of Palo Alto. Libertarian: Charles Olson of Stanford.
Morris came within 5,000 votes of defeating the incumbent, Victor Calvo, in 1978. Now, with Calvo retiring from office, the GOP thinks he will win the seat. Sher, a Palo Alto councilman, is the probable Democratic nominee.

District 22 (46%D-44%R) — Republicans: Douglas Allen of Los Gatos, Robert Bryden of Campbell, Mardi Gualtieri of Los Gatos, Kent Harris of Los Altos, Ernest Konnyu of Saratoga. Democrat: Colman Bridges of Saratoga. Peace and Freedom: Elizabeth Barron of Saratoga.
Despite a Republican tradition and favorable voter registration, incumbent Richard Hayden had been losing ground in this district. Now he is not seeking re-election and the floodgates are open. On paper, the GOP nominee should win. But the Democrats came up with the ideal candidate, former Saratoga Mayor Cole Bridges. Gualtieri has also served as mayor of his city, but Harris has strong support.

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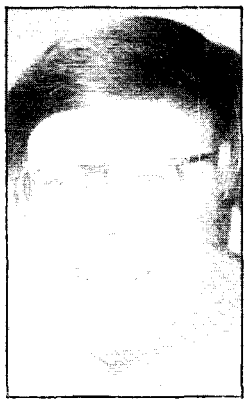
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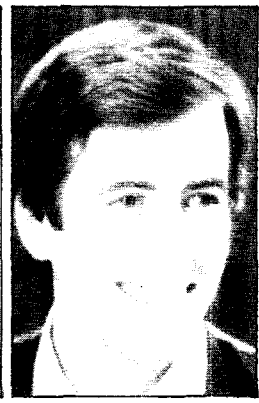
Johnston

District 23 (61%D-29%R) — Democrat: Incumbent John Vasconcellos of San Jose. Republican: Auralee Street of Santa Clara. Libertarian: James Wurm of San Jose.
Traditionally, Vasconcellos runs behind his party in this heavily Democratic area. This has given Republicans hope that a well-financed Street, a councilwoman, can upset Vasco.

District 24 (56%D-34%R) — Democrats: Thomas Kruse of Gilroy, Gil Egeland of San Jose, Dom Cortese of San Jose. Republican: Lawrence Pegram of San Jose. Libertarian: Dante DeAmicis of San Jose.
Facing a tough re-election fight, incumbent Democrat Leona Egeland withdrew at the 11th hour. The Democrats came up with a strong candidate in Santa Clara County Supervisor Cortese, but Egeland's former husband also entered the contest. The GOP hope is San Jose Councilman Pegram, who has been plagued by adverse publicity of late.

District 25 (63%D-26%R) — Democrats: Incumbent Alister McAlister of San Jose, Eugene Flemate of San Jose. Republican: Barrie Laing of San Jose.
McAlister is the only Santa Clara County Assembly member with an easy ride this year.

District 26 (61%D-32%R) — Democrats: Incumbent Carmen Perino of Stockton, Tony Gutierrez of Stockton, Patrick Johnston of Stockton. Republicans: Doug Carter of Stockton, Adrian Fondse of Ripon. Libertarian: J. Martin Brewster of Stockton.
Perino faces an uphill struggle this year, a legacy from adverse publicity he received over a campaign mailing in 1978. Johnston, aide to state Senator John Garamendi, will give him trouble in the primary. On the Republican side, there should be a tight race between former Assemblyman Doug Carter, who has run against Perino before, and Fondse, a member of the San Joaquin County board of supervisors.

District 27 (61%D-32%R) — Democrat: Incumbent John Thurman of Modesto. Republicans: Chris Patterakis of Modesto, Mum Yamaichi of Westley. Libertarian: Stephen Gerringer of Modesto.
Thurman has won handily in the past and came within a whisker of winning a Senate seat last year. The Republicans may target him this year.

District 28 (54%D-33%R) — Democrats: Sam Farr of Carmel, Lowell T. Hunter Sr. of Santa Cruz, Kevin La Graff of Pacific Grove, William P. Murphy of Watsonville. Republicans: Daniel Miller of Pacific Grove, Ana Welchner of Carmel. Libertarian: Donald E. Atkinson of Santa Cruz. Peace and Freedom: Michael Zaharakis of Scotts Valley.
The incumbent, Democrat Henry Mello, is running for the state Senate, leaving this marginal district up for grabs. The leading Democrats are Monterey County Supervisor Sam Farr, son of former state Senator Fred Farr; Murphy, Santa Cruz county treasurer tax collector; and La Graff, aide to Mello. Welchner, a long-time political activist, is the early GOP leader.

District 29 (52%D-39%R) — Republican: Incumbent Carol Hallett of Atascadero.
The Republican floor leader can concentrate on other races this year.

District 30 (66%D-27%R) — Democrat: Incumbent Jim Costa of Fresno. Republican: Carol Harner of Mariposa.
Harner has bucked Democrats before and lost by wide margins. Costa will be able to coast to a second term.

District 31 (57%D-37%R) — Democrat: Incumbent Richard Lehman of Fresno.
Without an opponent, Lehman will devote himself to electing pro-Berman Democrats.

District 32 (56%D-37%R) — Republican: Incumbent Gordon Duffy of Hanford. Democrat: Kenn Bovetti of Visalia.
The veteran Duffy usually wins without much trouble. For a time, it appeared that he might face strong Democratic opposition this year, but he maneuvered the potentially tough competition out of the race.

District 33 (58%D-36%R) — Republican: Incumbent Donald Rogers of Bakersfield. Democrat: Grant Jensen of Bakersfield.
Rogers won his first term with ease in 1978,

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should repeat.

District 34 (52%D-40%R) — Republican: Incumbent Phillip Wyman of Tehachapi. Democrat: Gloria Dizmang of Palmdale.
Wyman defeated an incumbent Democrat two years ago and should be able to hold the seat, at least until after reapportionment.

District 35 (51%D-36%R) — Democrat: Incumbent Gary Hart of Santa Barbara. Republicans: David Aquino of Santa Maria, Philip Myers of Santa Barbara. Libertarian: David Sutton of Santa Barbara.
Hart usually runs far ahead of registration. It would take an all-out GOP assault to beat him.

District 36 (53%D-37%R) — Republican: Incumbent Charles Imbrecht of Ventura. Democrat: Ira Laufer of Ventura. Libertarian: Freeland Chew of Oxnard.
Republican caucus chairman Imbrecht won this seat four years ago, shows no sign of weakness.

District 37 (50%D-41%R) — Republicans: John J. Allen of Granada Hills, Greig L. Smith of Granada Hills, Fred Studwell of Newhall, L. Rob Werner of Canyon Country, Cathie Wright of Simi Valley, Kin Holley of Simi Valley. Democrats: Harold Cotton of Chatsworth, Arline Mathews of Chatsworth, John Williamson of Simi Valley. Libertarian: Daniel Wiener of Simi Valley.
Republican Bob Cline is abandoning this seat to run for the state Senate. The field is difficult to handicap, but Smith, who is a spokesman in the anti-busing organization in the San Fernando Valley, and Mayor Wright of Simi Valley probably are the best-known GOP candidates. Mathews, who has run in the area twice before, started with the Democratic lead.

District 38 (49%D-43%R) — Republicans: Marian W. La Follette of Malibu, Carl Olson of Woodland Hills, Link Wyler of Woodland Hills. Democrats: Steven Afriat of Canoga Park, Everett Buchan of Agoura, Douglas Bruce of Pacific Palisades, Posey Carpentier of Malibu, Marty Israel of Canoga Park. Libertarian: Ernie Tanner of Canoga Park.
The candidate dam burst in this district with the retirement of Republican Paul Priolo. La Follette has the best name identification in the large field, but she may be too conservative for the district.

District 39 (62%D-31%R) — Republican: Incumbent J. Robert Hayes of San Fernando. Democrats: Al Dib of Arleta, Richard Katz of Sepulveda. American Independent: Lily Woods of Mission Hills. Libertarian: Bob Binsley of Sepulveda.
Hayes pulled a mild surprise two years ago by unseating Jim Keysor, who was planning to run this year but withdrew in favor of Katz, a graphic artist who has worked in many a campaign. Katz could give Hayes trouble in November if the Berman-Waxman machine rolls into the district.

District 40 (62%D-31%R) — Democrats: Incumbent Tom Bane of North Hollywood, Rubin Gordon of North Hollywood. Republicans: Raymond Estavillo of Reseda, John C. Kennedy of Van Nuys, Dolores Lefevre of Van Nuys. Peace and Freedom: René Engel of Reseda. Libertarian: Janice Vargo of Reseda.
Democrats are losing strength in the San Fernando Valley, but the GOP will find it very difficult to defeat Bane, who is a sophisticated and experienced campaigner. Lefevre lost to Bane two years ago by a margin of almost 2 - 1.

District 41 (46%D-48%R) — Republican: Incumbent Patrick J. Nolan of Glendale. Democrat: G. Warren Helms of Glendale. Libertarian: Ray Wulfe of San Fernando.
This is safe Republican territory.

District 42 (46%D-47%R) — Republican: Incumbent Bill Ivers of Flintridge. Democrat: Robert Henry of Pasadena. Libertarian: Mark Stroberg of Pasadena.
This area has been getting less Republican, but Ivers still should win by a comfortable margin.

District 43 (61%D-32%R) — Democrats: Incumbent Howard Berman of Los Angeles, William Kurdi of Los Angeles. Republicans: Robert Bates of Encino, Ellison Bloodgood of Sherman Oaks, Sheldon Rosenbloom of North Hollywood, Mildred Silver of Tarzana. Libertarian: Bruce Lagasse of Sherman Oaks.
Berman is working in other districts, but he won't forget his own. Two years ago he was unopposed; this time he will have to go through the motions of a campaign.

District 44 (64%D-27%R) — Democrats: Incumbent Mel Levine of Santa Monica, Marty Weitzman of West Los Angeles. Republican: Robert Haupt of Los Angeles. Libertarian: Ed Wolford of Los Angeles.
Levine should win comfortably.

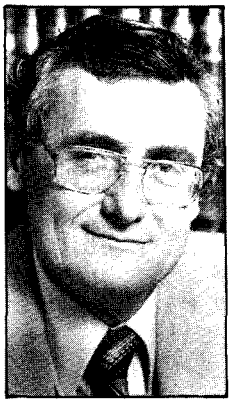
District 45 (65%D-25%R) — Democrat: Incumbent Herschel Rosenthal of Los Angeles. Republican: Eleanore Parker of Los Angeles. Peace and Freedom: Carol Weston of Los Angeles.
Rosenthal usually wins by margins of better than 2 - 1.

District 46 (61%D-28%R) — Democrat: Incumbent Mike Roos of Los Angeles. Republican: Alon Cory of Los Angeles. Libertarian: Johnnie Garner of Los Angeles.
This low-turnout district was in the spotlight because Star Trek actor George Takei was challenging incumbent Roos in the primary as part of the Berman-McCarthy speakership conflict. But Takei withdrew because of television equal-time problems, thus avoiding what might have been one of the bloodiest fights in the state.

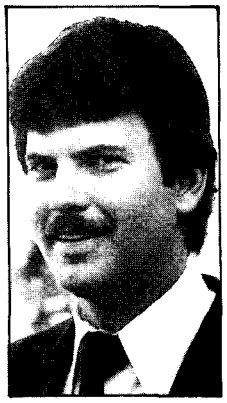
District 47 (83%D-12%R) — Democrats: Incumbent Teresa P. Hughes of Los Angeles, Mitchell Shook of Los Angeles. Republican: Marvin L. Thompson Jr. of Huntington Park.
It would take a pòlitical bulldozer to dislodge Hughes.

District 48 (85%D-11%R) — Democrat: Incumbent Maxine Waters of Los Angeles. Republican: Yva Hallburn of South Gate.
Waters will keep winning by huge margins while waiting for an opportunity to run for Congress.

District 49 (75%D-18%R) — Democrat: Incumbent Gwen Moore of Los Angeles. Libertarian: Kevin Dye of Culver City.
Only a Democrat can carry this district.



Hayes



Katz

District 50 (75%D-19%R) — Democrats: Incumbent Curtis Tucker of Inglewood, Marion Hill of Los Angeles. Republican: Arthur Thomas of Inglewood. Libertarian: John Townsend of Inglewood.
Tucker should win in a breeze, as usual.

District 51 (45%D-46%R) — Republican: Incumbent Marilyn Ryan of Rancho Palos Verdes. Democrat: Mark Wirth of Torrance. Libertarian: Thomas J. Crowe of Redondo Beach.
Ryan should win by more than 2 - 1 in November.

District 52 (60%D-32%R) — Republican: Incumbent Gerald Felando of San Pedro. Democrats: John Barbieri of San Pedro, Louis Dominguez of San Pedro. Libertarian: Mary Cassano of San Pedro.
Felando pulled the upset of the year in 1978, defeating the late Vincent Thomas. Now he will have to defend himself in a traditionally Democratic district.

District 53 (70%D-23%R) — Republican: Incumbent Paul Bannai of Gardena. Democrats: Cindy Wear of Gardena, Dick Floyd of Lawndale. Libertarian: Salvatore Cassano of Carson.
Bannai keeps winning despite the heavy Democratic registration. Wear is back for another try at him, but she will have to win a rough primary against Floyd, aide to state Senator Ralph Dills.

District 54 (79%D-16%R) — Democrat: Incumbent Frank Vicencia of Bellflower. Republican: Richard G. Coxson of Bellflower. Libertarian: Terrill Holloway of Bellflower.
Vicencia should win by about 7 - 2 in November.

District 55 (68%D-23%R) — Democrats: Incumbent Richard Alatorre of Los Angeles, Michael Rives of Los Angeles. Republican: Dale Reed of Los Angeles. Libertarian: Waheed Boctor of Los Angeles.
Alatorre will repeat without working very hard while waiting for an open congressional seat.

District 56 (79%D-13%R) — Democrat: Incumbent Art Torres of Los Angeles. Republican: J. Raul Blacksten of Maywood. Libertarian: Sandra Nelson of Los Angeles.
This is a low-turnout district in which Torres wiped out Blacksten two years ago. The result should be the same in November.

District 57 (63%D-30%R) — Democrat: Incumbent Dave Elder of Long Beach.

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Elder defeated fellow Democrat Mike Cullen in the primary of '78, now will have easy sledding for a while.

District 38 (57%D-36%R) — Republican: Incumbent Dennis L. Brown of Signal Hill. Democrats: John Allen of Long Beach, Dan Branstine of Lakewood.

Brown pulled a surprise to defeat a Democratic incumbent two years ago. He will be a Demo target this year. Branstine is a Lakewood councilman.

District 39 (69% D-25%R) — Democrats: Incumbent Jack Fenton of Montebello, Richard S. Amador of Monterey Park, Marty Martinez of Monterey Park. American Independent: Houston Myers of Alhambra. Libertarian: Carl Swinney of Pico Rivera.

Fenton has survived opposition from Hispanic candidates before and should do so again. Amador is a school board member with ties to Senator Joe Montoya. Martinez is a city councilman. If only one ran, Fenton could be in trouble.

District 60 (69% D-24%R) — Democrats: Incumbent Sally Tanner of El Monte, Oscar Segovia of La Puente. Republican: Henry Velasco of El Monte. American Independent: Myron Guarnett of El Monte. Libertarian: David Argall of La Puente.

The Tanner-Segovia match could be tight. Segovia has been involved in campaigns for Senator Joe Montoya for many years and knows the territory. The question is whether enough Latinos will vote to get him the nomination.

District 61 (43%D-50%R) — Republican: Incumbent Richard Mountjoy of Monrovia. Democrat: Jo Smith of San Gabriel. American Independent: Pearl Scanlon of Arcadia.

Mountjoy unseated a veteran Republican in the 1978 primary now can take his second term without working for it.

District 62 (50% D-43%R) — Republican: Incumbent Bill Lancaster of Covina. Democrats: Gary Miller and Robert Wilson of West Covina.

Lancaster was tested in his last two elections by Sandy Baldorado, who chose not to try again. Miller is a city councilman who will try bucking the GOP tradition of this district.

District 63 (61%D-32%R) — Democrat: Incumbent Bruce Young of Cerritos. Republican: Sally Brandes of Downey. Libertarian: Jerry Leaf of Downey.

Young wasn't tested two years ago. Brandes is a political unknown who lost the GOP primary to Young in 1978 via write-in. The Republicans need a tougher opponent to beat Young.

District 64 (50% D-44%R) — Republican: Incumbent Dave Stirling of Whittier. Democrat: George M. Juric of Whittier.

This is a rematch of the 1978 contest, won by Stirling with 25,000 votes to spare. There should be little change this time.

District 65 (55%D-38%R) — Democrats: Kim Willis of Upland, James Cramer of San Bernardino, Harold Katzman of Ontario. Republicans: Charles Bader of Pomona, William Nelson Gentry of Montclair, John McGehee of Ontario, John Ridley of Pomona. Libertarian: David Eloff of Ontario.

Incumbent Democrat Bill McVittie was given a judgeship by Governor Brown. His district can go either way, but the Democrats came up with a potent candidate in Cramer, San Bernardino County district attorney. Bader and Gentry hold local office and McGehee is a former legislative staffer with campaign know-how.

Fenton Amador

District 66 (63%D-28%R) — Democrat: Incumbent Terry Goggin of San Bernardino. Republican: Clifford Sumrall of Rancho Cucamonga. Libertarian: John Montgomery of Rialto.

This district has a solid Democratic-loyalty record, and Goggin should have no trouble in November.

District 67 (48%D-44%R) — Republican: Incumbent William R. Leonard of San Bernardino. Democrat: March Gunn of Highland. Libertarian: John Wilson of Redlands.

This district always goes Republican.

District 68 (55%D-35%R) — Democrat: Incumbent Walter Ingalls of Riverside. Republican: Sharon King-Jeffers of Norco. Libertarian: Darlene Brinks of Riverside.

The GOP took a shot at Ingalls two years ago and missed by 10,000 votes. He could be targeted again.

District 69 (49%D-43%R) — Republican: Incumbent Ross Johnson of La Habra. Democrat: Christian Thierbach of Anaheim.

Freshman Johnson should have little trouble graduating to sophomore ranks.

District 70 (41%D-50%R) — Republicans: Joyce Marie Hawkins of Orange, John Lewis of Yorba Linda, Beverly Nestande of Orange, Bud Swanson of Orange. Democrats: James Eriksen of Anaheim, Kevin O'Rourke of Orange. Libertarians: Roberta Rinehart of Placentia, Wayne Wedderien of Orange.

The large field resulted from the decision of incumbent Republican Bruce Nestande to run for the Orange County board of supervisors. His former wife, Beverly, is one of the four Republicans trying to replace him. A Democrat should win this seat only on a trip to Fantasy Island.

District 71 (56%D-36%R) — Democrat: Incumbent Chet Wray of Westminster. Republicans: Doris Allen of Westminster, Rick Erickson of Garden Grove. Libertarian: Devon Showley of Cypress.

Wray is certain to be a Republican target. He won over Allen two years ago by 9,000 votes. Allen faces a well-known opponent in Erickson, who has been mayor of Garden Grove and has been involved in the Coastal Commission scandal.

District 72 (54%D-36%R) — Democrat: Incumbent Richard Robinson of Santa Ana. Republican: Raoul Silva of Garden Grove.

Robinson usually runs far ahead of the Democratic registration, and he'll win big again unless the GOP decides to make him a high-priority target.

District 73 (48%D-43%R) — Democrat: Incumbent Dennis Mangers of Huntington Beach. Republican: Nolan Frizzelle of Costa Mesa.

Mangers has done surprisingly well in this district, which is anything but solid for a Democrat. The Republican nominee, Frizzelle, is a long-time activist in GOP organizations but was defeated in a primary two years ago.

District 74 (36%D-55%R) — Republican: Incumbent Marian Bergeson of Newport Beach. Democrat: Jack Baldwin of Mission Viejo. American Independent: James McCoy of Oceanside. Libertarian: Sue Waltman of Orange.

This is the most Republican district in the state.

District 75 (49%D-43%R) — Republican: Incumbent David G. Kelley of Hemet. Democrat: Daryll Gill of Desert Hot Springs. Libertarian: Jerry Gentry of Palm Springs.

Kelley defeated a Democratic incumbent in 1978. Gill, a city councilman, could make the race interesting if he receives substantial financial support.

District 76 (41%D-47%R) — Republican: Incumbent Robert Frazee of Carlsbad. Democrat: Michael Becker of La Jolla. Libertarian: Jim Lorenz of Escondido.

This is a one-party district.

District 77 (48%D-41%R) — Republicans: Norma Scheuneman of El Cajon, Larry Stirling of San Diego. Democrats: Merrill Doyle of San Diego, Karl Kramer of San Diego, Fred Nagel of La Mesa, Floyd Morrow of San Diego, Ted Schramm of San Diego, Timothy Smith of San Diego, Richard Augustine of La Mesa.

Republican Jim Ellis is giving up his seat to run for the state Senate. The winner of the GOP primary will have the upper hand in November. Stirling, a San Diego councilman, is the early leader over party worker Scheuneman. The Democratic field includes a former San Diego councilman, Morrow, and two La Mesa councilmen, Augustine and Nagel.

District 78 (51%D-36%R) — Democrat: Incumbent Lawrence Kapiloff of San Diego. Republicans: Benjamin Elliott, Nicholas Miloslavich and Ross Tharp of San Diego.

The Republicans have gone broke for years trying to beat Kapiloff. They will probably shoot a bundle in the district again this time behind Superior Judge Tharp.

District 79 (61%D-28%R) — Democrat: Incumbent Pete Chacon of Coronado. Republican: Rita Bailey of Coronado.

This is the safest Democratic Assembly district in San Diego County.

District 80 (55%D-34%R) — Democrat: Incumbent Wadie P. Deddeh of Bonita. Republican: Lorraine Green of San Diego.

Deddeh defeated Green 5 - 2 in 1978, but she's coming back for another licking.

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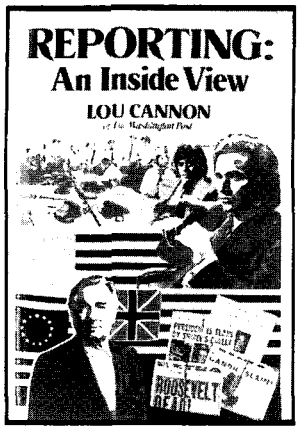
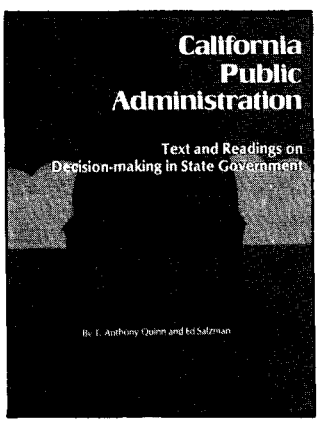
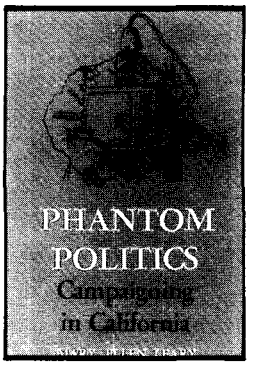


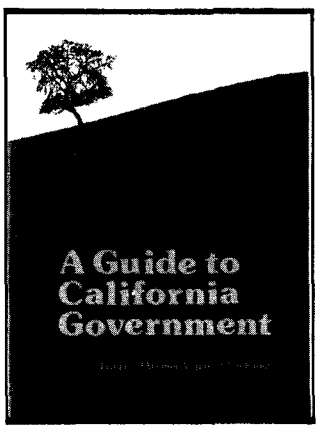
REPORTING: AN INSIDE VIEW by Lou Cannon. The Watergate exposé by Woodward and Bernstein has again romanticized newspaper reporting in American. But how many of us know what really goes on behind the scenes in the complex process that determines what is and what isn't fit to print? Anyone interested in the workings of the press during the post-Watergate era will find **REPORTING: AN INSIDE VIEW** fascinating reading. 1977. 6 x 9, 308 pages. $10.55 cloth $5.25 paper.

PUBLIC ADMINISTRATION IN CALIFORNIA, by T. A. Quinn and Ed Salzman. A new book describing the inner workings of state government with special emphasis on administrative agencies. Sections include top executives, regulatory agencies, the Legislature, the judicial system, education and bureaucracy. 1978. 8 ½ x 11 120 pages. $5.25 paper.



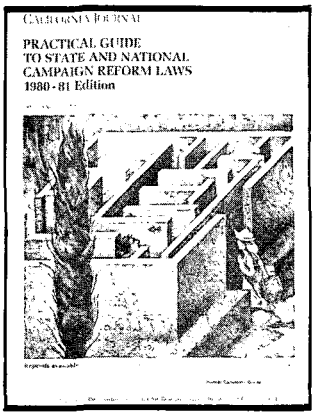


PHANTOM POLITICS: CAMPAIGNING IN CALIFORNIA, by Mary Ellen Leary. This book examines the relationship between the candidates and the media in the 1974 gubernatorial campaign in which Jerry Brown was first elected Governor. The author has covered national politics for over 28 years and is a frequent contributor to *The Nation*, the *Economist* and other publications. 1977. 5½ x 8½, 191 pages. $6.31 paper.



A GUIDE TO CALIFORNIA GOVERNMENT, by the League of Women Voters. The 11th edition of this book contains chapters on the voter and elections, candidates and political parties, the three branches of government, state agencies, state and local finance, local government, personnel and education. 1977. 5½ x 8½. 160 pages. $3.50 paper.

CALIFORNIA GOVERNMENT and POLITICS ANNUAL, 1979-80. Published every year, the *Annual* consists of reprints of *California Journal* articles covering the various branches of government, elections, political reform, lobbying, taxation, local government, the environment, business, health and welfare. The book also includes a "Practical Guide to California Government and Politics." 1979. 8½ x 11, 128 pages. $3.71.



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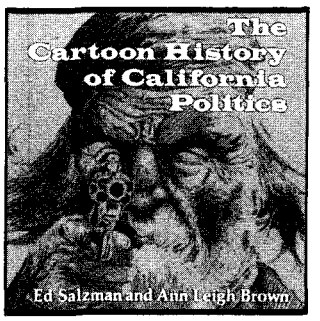

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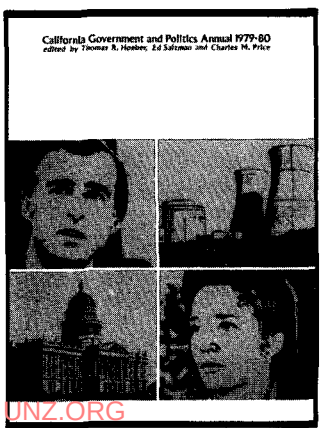
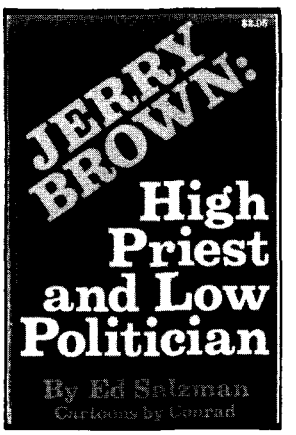
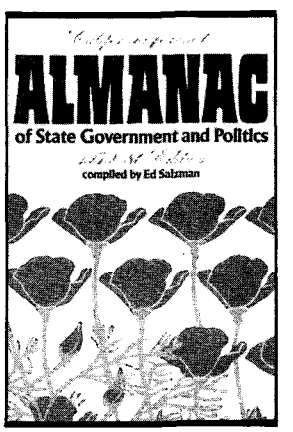


JERRY BROWN: HIGH PRIEST AND LOW POLITICIAN, Analyzes the phenomenal political ascent of Governor Brown, assesses his performance as the state's chief executive and speculates on where he goes from here. Contains some of the Governor's most quotable quotes, his first two state-of-the-state messages, a sampling of his pithy veto messages and photographs of the Governor in action. The author is the editor of the *California Journal*, and much of the material in the book first appeared in the magazine. The cartoons are by Paul Conrad of the *Los Angeles Times*. 1977. 5½ x 8½, 127 pages. $3.13 paper.





ALMANAC OF STATE GOVERNMENT AND POLITICS 1979-80. Revised and updated Third edition. Contains 180 photographs and biographies of the state's leaders, maps, historical information on all branches of state government, election statistics and population information, and much more. 1979, 6 x 9, 192 pages. $4.19 paper.

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THE LAS VEGAS DETOUR

Airline deregulation equals higher fares and poorer service

By KERRY DRAGER

For years the Public Utilities Commission wielded a powerful hand over air transportation in California. The PUC kept a tight lid on fares and prevented airlines from abandoning service to low-profit markets. In the fall of 1978, for example, travelers could fly from Bakersfield to San Francisco aboard a United Airlines jet for $28 and from South Lake Tahoe to San Francisco via Pacific Southwest Airlines for $22.

Then came the federal Airline Deregulation Act of 1978. Despite the new law's promise of lower prices and improved service, the Bakersfield-San Francisco route is no longer serviced by United but by a smaller, commuter airline, Golden Gate. And the fare has increased 100 percent, to $56. Likewise, PSA abandoned Tahoe, and the new carrier, Aspen Airlines — based not in California, but in Colorado — has boosted the Tahoe-San Francisco fare nearly 90 percent, to $41.

Since deregulation, major carriers in California have dropped dozens of routes for other, more lucrative markets. Fares have risen 38 to 103 percent in just over a year, far outdistancing inflation. Although there have been problems in the rest of the nation, California has borne the brunt of deregulation.

PUC Commissioner Richard Gravelle notes: "This commission and the state of California generally were very much opposed to the deregulation bill in 1978. We testified against the bill's application to California. We had a good system of regulation here that kept transportation rates down and yet provided very good service to all types of communities — not just the large urban ones but also the small rural communities. We predicted at that time what would happen under a deregulation mode. What has occurred is what we predicted: higher rates and less service."

But deregulation was intended to achieve efficiency, lower fares and more variety of service, while still allowing reasonable airline profits. This was to be accomplished by competition. The new law superseded the Federal Aviation Act of 1958, which treated the industry like a huge public utility to be insulated from the ravages of the free market.

'Bread-and-butter' runs

Previously, two airlines flying the same route charged identical fares, with the approval of the Civil Aeronautics Board. In addition, the PUC worked to keep fares low. Today, carriers can set prices independently of each other and can raise fares up to 10 percent and lower them as much as 50 percent a year without CAB's ratification.

Under the old law, a new route could not be added or suspended without CAB's approval. Likewise, the PUC required major airlines to serve smaller, less-profitable markets as well as the "bread-and-butter" runs, such as San Francisco to Los Angeles. Now, an airline may add one new market a year without CAB approval. And a carrier can delete a route by merely giving the CAB advance notice.

The new law does require, though, that the government guarantee "essential air service" for 10 years to those communities already served by major airlines. If necessary, subsidies to the airlines will be provided. In many cases, the CAB has ordered the remaining major carrier in a market to continue service until an alternative airline is found.

Despite such assurances, deregulation in California — at least in the act's first year — backfired. First, airlines were allowed to abandon service to some communities without adequate replacement service. Second, CAB permitted California carriers to bring prices up to the national average, which resulted in astronomical fare hikes.

"For many, many years the traveling public in California

Kerry Drager is a free-lance writer in Sacramento and a frequent contributor to the Journal.

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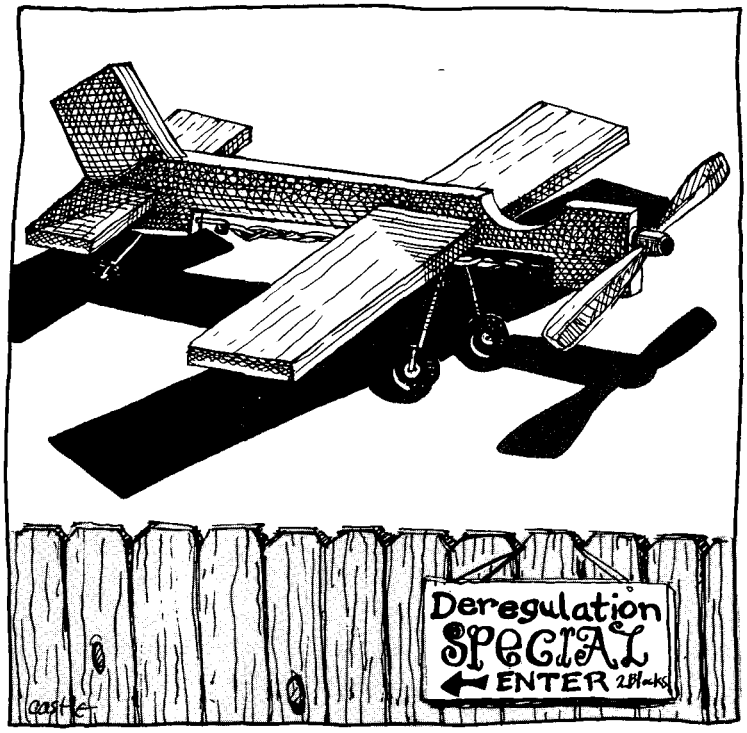

was getting bargain rates," says Janice Redding, deputy director in CAB's western regional office. Fares, she adds, were often 25 to 35 percent lower than comparable routes in other parts of the country. "The yield to the carriers in this state was lower per flight and per passenger than what it would be in an equivalent position and equivalent plane size elsewhere. Catching up to the rest of the nation has been so accelerated that it's quite a shock to California air travelers."

A 103 percent increase

The biggest hike was United's Monterey to Los Angeles run, from $28.10 in November 1978 to $57 in January of this year, a jump of 103 percent. PUC Commissioner Gravelle says, "I don't see any improvement as far as fares are concerned. The airlines, under deregulation, are going to continue to take advantage of that fact and get their fares up. In selected markets, developmental markets, you may find some pretty good deals on fares. Some airline, for instance, may throw a loss leader in, as you might see in a supermarket. But on the bread-and-butter runs, particularly in the corridor — Sacramento-Los Angeles, Sacramento-San Francisco, San Francisco-Los Angeles and the San Diego flights — you are going to see increasing fares."

Fuel has been a major reason for the rise in prices and for the curtailment of service. Mark Peterson, Air California's manager of communications, points out that his airline's fuel costs increased about 100 percent in 1979. Fuel, once 15 percent of the carrier's operating costs, rose to 30 percent. In addition, fuel availability has posed a problem. "Most of the airlines have experienced a reduction in their allocation of fuel, on the contract-fuel basis," Peterson notes. "That means we're having to go out and buy more on the spot market, which costs that much more than what we get by contract." And Pat Tomlin, PSA public relations manager adds: "We get only 85 percent of the fuel we had a year ago."

Worse than even the mammoth hikes in fares has been the service lost to many California communities. Some officials, while acknowledging that deregulation potentially is a good thing, say it was phased in too quickly, without an adequate transition period.

"Congress promised a reasonable transition in the process, particularly in the small communities where they had been heavily regulated for 30 years," says John West, chief of CalTrans' Division of Aeronautics. "They let the major airlines leave and allowed some replacement carriers to come in who, in some cases, were not very good and simply walked away from the situation."

The prime example has been Bakersfield. Hughes Airwest suspended service there and United — which previously dropped its Bakersfield-San Francisco route — plans to cut its remaining operation, a Bakersfield to Los Angeles flight. United cited economic factors in its decision to abandon service to Bakersfield (as well as to Stockton, Modesto, Merced and Visalia). Smaller planes that use less fuel and have smaller flight crews could operate more profitably, United claimed. Plus, the airline contended, United's Boeing 737 with 103 seats would have to put on 150 passengers to break even on the Bakersfield-Los Angeles run.

In the major airlines' place, several commuter operations — with their small, propeller-driven planes — tried to fill the void left in Bakersfield's air service. Initially, it was disastrous. Service was slashed, fares skyrocketed and passenger use declined.

CalTrans' John West notes: "A major problem was the shortage of commuter-type aircraft, particularly in the 30- to 50-seat aircraft. If you're taking a 727 out of service in Bakersfield, you can't come in and service the community with seven- or eight-passenger planes, and maybe not even with 19-seat ones. You have to have some larger aircraft. And those just weren't available." Indeed, in one case, a small carrier with a nine-seater plane took over the Bakersfield-Las Vegas route from Airwest. But the airline soon ran into financial difficulties and terminated the service. Since then, though, the commuter carriers have improved. By February, CAB's Janice Redding says, Bakersfield had more seats and more variety of service than it had before deregulation. "But," she acknowledges, "it took much longer than Congress ever anticipated during deliberations on the act."

But PUC Commissioner Gravelle claims that it depends on the type of service you're talking about. "When you're referring to Bakersfield with jet service," he says, "you're talking about flights to Los Angeles and San Francisco. Now, Bakersfield to San Francisco is a pretty good haul. Bakersfield to LA is not so long and smaller aircraft probably can do the job.

"They can all do the job. It's just a matter of passenger preference. Given the choice, a passenger will usually go for larger jet aircraft rather than a smaller commuter-type plane. They feel jets are safer because jets are larger. And they're more comfortable and faster. The more — for lack of a better word — high-class service there is, the more likely you're going to stimulate marginal traffic. That's where the smaller aircraft, the commuter operation, has a tougher row to hoe than carriers using larger planes."

Dropping Tahoe

South Lake Tahoe has been another deregulation victim. Air California and PSA have suspended service to that Sierra resort community. Both airlines cited economic factors: fuel costs and availability, and the requirement of environmentally compatible Lockheed prop-jets. "It isn't profitable to buy one type of aircraft (the Lockheed Electra) to serve just one city." notes PSA's Pat Tomlin. Air California's Mark Peterson adds: "It was not a profitable operation for us. Our total airline operating expenses will be more wisely allocated by maintaining an all-jet aircraft fleet."

Sherman McKissock, manager of the South Lake Tahoe Chamber of Commerce, says that the demand is there for better air service. In 1978, Air California carried 300,000 passengers and PSA carried 143,000 to and from South Lake Tahoe. In their place, one commuter carrier, Aspen Airlines, has filled in. Says McKissock: "Aspen is servicing

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about one-half of the passengers we used to have when we had PSA and Air Cal."

Responding to the airlines' claim that they lost money on the Tahoe runs, McKissock notes: "It may mean they weren't making as much money as they would have liked. And that is exactly the situation under deregulation. All of the airlines then decided to choose the cream, and do the cream only. Anything else is sloughed off. The only thing wrong with that is they all made similar decisions, which may turn out to be bad decisions. For instance, if everybody now decides to fly to Reno, all of a sudden the competition gets a little tough.'

Indeed, Air California faced such a situation in San Diego — and lost. "There was not room for another carrier there in the markets that we were serving," says Peterson. "We were up against the major airlines and we could not compete effectively with them."

McKissock adds: "It's like a musical chair game. The music stops and everybody wants to run to the best chair. In doing that, sometimes you find one guy sitting over in a corner all alone in a very nice chair and four people beating their brains out over one. The airlines after deregulation is almost that kind of game."

Even California's capital city has had problems. Air travel has declined recently in Sacramento, due mainly to the loss of service. Braniff International discontinued its operation and Western Airlines, Air California and PSA all trimmed service. The airlines cited economic reasons — primarily the cost of fuel — for the cutbacks.

But not all cities have suffered from the new law. For some, deregulation has meant a boon. Las Vegas, for example, saw air passenger traffic rise nearly 20 percent in the first six months of deregulation as the number of airlines serving Nevada's gambling capital doubled.

Cutback Casualties

The effect of the deregulation of airlines on some California cities:

Bakersfield: Hughes Airwest has abandoned service. United Airlines suspended its Bakersfield-San Francisco route and plans to discontinue its remaining operation — Bakersfield-Los Angeles. Several commuter airlines now service Bakersfield.

Chico: Hughes Airwest and Air Pacific have abandoned service. Chico is now served by WestAir.

Modesto: United has dropped its Modesto-Los Angeles run and plans to suspend its remaining route — Modesto-San Francisco. Golden Gate Airlines is the replacement carrier.

Monterey: Hughes Airwest and PSA have abandoned their operations. United is reducing service. Monterey is now served by Golden Gate and Air California, as well as by United.

Sacramento: Braniff International has ended service. Western Airlines, Air California and PSA have all trimmed their scheduled flights. There are no reported cutbacks among the other carriers.

South Lake Tahoe: Air California and PSA have discontinued service. Aspen Airlines is the replacement carrier.

Stockton: Airwest has suspended service. United has eliminated its Stockton-Los Angeles run and is planning to suspend its remaining operation — Stockton-San Francisco. PSA discontinued its Stockton-San Francisco route. Golden Gate and PSA will continue to service Stockton.

In addition, Airwest has suspended service to Santa Maria, Santa Barbara, Blythe, El Centro and Crescent City. United has eliminated its operations at Merced and Visalia. Sierra Pacific has discontinued its Bishop and Mammoth routes, WestAir has dropped Concord and Air California has cut San Diego. – *K.D.*

Dealing with noise

Deregulation also has prompted environmental concerns. State airport noise standards in the past have governed the amount of noise at an airport. A number of California's major airports — including John Wayne in Orange County — are now operating under a variance issued by CalTrans. The variance requires the airport to take steps to curb the amount of noise. One such measure is to hold down the number of operations at the airport.

"However, three new carriers, for example, want to come in to John Wayne Airport," notes CalTrans' John West. "John Wayne's first reaction was to say to the airlines, 'You can't come in. We already have too much noise here now.' But the federal government says if they want to come in under deregulation, you have to let them in. If an airport that already has noise problems is not able to determine who can come and who can't, they obviously will have no control over that noise problem."

A possible solution, West says, is to take the maximum amount of noise permitted at an airport, translate that into the number of operations and then ask the carriers — both incumbents and new ones — to "deal out" the noise among themselves. "The problem, of course," West says, "is that the incumbent carriers don't want to sell their operations no matter what the cost."

Some officials, however, believe the worst of deregulation has passed. Notes CAB's Janice Redding: "We're a year into the legislation — not only the CAB, but also the airlines and the community. All of us have become more aware of what happens in the first stage of deregulation and we're all more experienced on how to ensure that those dramatic effects are avoided in the future."

Presently, major carriers are preparing to leave or curtail service in several more communities. In one — Monterey — Redding says: "We don't need to come up with a transition plan because the replacement carrier, Golden Gate, and the community of Monterey have already sat down together and worked it out. So the federal government didn't even have to get involved. We're just available to help if the situation is critical and there is no other solution. But if an airline and a community can work it out among themselves, then we're out of the regulatory business."

Indeed, such a fate for the CAB is imminent. The CAB's authority over routes is due to expire on December 31st, 1981. Its control over fares will terminate January 1st, 1983. And, unless Congress decides otherwise, CAB will go out of business completely at the end of 1984. The Department of Transportation will then take over the program that guarantees essential air service to communities already served by major airlines.

And it's just that assurance of replacement service that continues to concern many communities. As one official remarked, " 'Essential' may mean a once-a-week ambulance run." Travelers used to modern jet aircraft are now being forced to fly on small prop planes — "puddle jumpers," some critics call them.

However, PUC Commissioner Gravelle adds: "I think over a period of time you probably will see some improvement in the commuter airlines. Equipment will get better, the service will get better and become more sophisticated, and things will slowly improve — but at a significantly higher cost."

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STRICTLY OPINION

*With this column, the **Journal** provides a forum for those wishing to express opinions on California political issues. Inquiries about future columns are encouraged.*

The political judiciary

By DAVID R. ROSS

If anything good has emerged from the vacillating decisions of the California Supreme Court's *Tanner* case it is this: It has forever silenced the last holdouts of the so-called "mechanical" view of the law. The "mechanical" view proponents saw the law as always existing somewhere in the ether, with courts merely finding it and communicating it to us mere mortals.

Tanner destroyed the myth on both sides of the coin. It showed that law is fabricated, not found; and it demonstrated by subsequent events that the august black-robed mystics were but mere mortals displaying such common-man attributes as spite and pettiness.

Tanner presaged the inevitable emergence of the political judiciary. For those die-hard purists who believe that courts make law, not policy, I refer you to only three of the California Supreme Court's recent pronouncements.

• *Li v. Yellow Cab (1975).* Here the court abolished a legislatively created rule of law which essentially stated that one who is contributorily negligent is barred from recovery for injuries sustained through the fault of another. The Supreme Court, without consulting the Legislature and without conducting any hearings (other than the arguments presented in the case), changed the law of the state.

• *People v. Drew (1978).* For over a century the test for criminal insanity in California has been the so-called M'Naghten rule. Simply stated, the rule says that if you do not know the nature and quality of your acts or that they are wrong, you cannot be criminally responsible. In *Drew,* the Supreme Court, without even being asked by the parties, changed the rule, commenting on the Legislature's inaction on the subject. The new rule, also simply stated, says that you are not criminally responsible if you lack substantial capacity to appreciate the criminality of your conduct or to conform your conduct to the requirements of the law.

• *Hawkins v. Superior Court (1978).* The California Supreme Court effectively rewrote the constitution and the Penal Code and abolished the criminal function of the grand jury. Needless to say, this judicial legislation was effectuated without obtaining a financial impact report. Consider for a moment the needless additional costs the public would have had to bear if the Manson family had been afforded a preliminary hearing.

These decisions, and others such as mandatory busing and the dozens of retroactive rulings, underscore the fact that the judiciary has the most amount of power with the least accountability of the three so-called co-equal branches of our governmental system.

There are, of course, several reasons for this judicial activism, not the least of which is the acquiesence of the Legislature and the executive. Since the courts have historically been insulated from overt politics, the politicians have permitted the courts to handle the hot issues. Additionally, in California of late, the governor has appointed avowed social engineers to the court. Legal competence or traditional judicial qualities, if considered at all, are secondary considerations at best.

Lest I be misunderstood: I don't take issue with the fact that the courts are political. That's a fact of life. What I don't like is what the courts are doing with their policy decisions. The courts have run amuck. They're trying to run our schools, our prisons and, indeed, our families. And, as staunch judicial supporters would have it, the citizens are supposed to grin and bear it because these social pronouncements are "*the law.*"

I do not suggest that all judicial actions be in accord with the collective will of the people, but I do suggest that a judiciary which consistently ignores the desires of the people will experience an eroded public confidence and active efforts to politicize it even more.

I perceive that most Americans want to be law-abiding. But I also believe that they will stand just so much social engineering in the guise of law and then they will revolt, much as they did in adopting Proposition 13. The courts, through their elitist arrogance, have left the citizens with no alternative. The only way to alter the situation is through politicization.

Let's look at some political activities which I would like to see more judges engage in. I would advocate more press conferences to publicize the idiocy of some decisions or conditions. Recently two judges in Santa Cruz called a press conference to denounce an early release of a murderer by the California Youth Authority. Why not? Should judges be mute when they perceive injustices? One of my great disappointments in the judiciary (and in the prosecution profession) was the almost total silence when the *Solario* case was decided by the court of appeal. *Solario,* which was summarily reversed by the Supreme Court, required a police officer to request permission to enter a house to arrest a burglar in the act of looting. Not one word from the trial bench!

Or how about the statement of District Court of Appeal Justice Robert Kane? (He authored the first *Tanner* decision upholding the "use a gun, go to prison" concept.) In an interview by the *San Francisco Examiner* he stated: "I have talked with judges from other parts of the country and they ask what in the world has happened to your courts out there? We have become a laughingstock in the judicial world."

The public wants leaders who will protect them, leaders who will speak up on major issues. One can still follow the law and speak out against it; otherwise it may never change. Remember, Howard Miller was not recalled as president of the Los Angeles Board of Education because he followed the law which created mandatory busing; he was recalled because he liked doing it.

David R. Ross is past president of the Association of Deputy District Attorneys in Los Angeles County.

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Blast-off for Reagan; melt-down for Brown

By CHARLES BRERETON

After his razor-thin defeat to President Gerald Ford at the 1976 Republican convention, some of the salt in Ronald Reagan's wounds came from the possibility that he had actually won — rather than lost by 1,587 votes — the 1976 New Hampshire first-in-the-nation primary. Reagan was convinced that, because his delegate group was oversubscribed, some of his votes were spoiled by those who voted for too many of his pledged delegates. Enough ballots may have been tossed out to have cost Reagan a victory.

State election officials dispute this, but the "what ifs" of four years ago were important, for the close Reagan defeat in the first test devastated Reagan's momentum in Florida. The loss of these two early primary states helped to seal his doom at the Kansas City convention that August.

In 1980 there will be no such hand-wringing about "what might have been in the Granite State," for Reagan's February 26th victory was a near blowout. It was an achievement that set him back into the frontrunner's seat, a victory built on the conservative constituency that has been rallying to The Speech and his anti-federalist philosophy ever since 1964.

It was a showing that rudely shoved George Bush back into the GOP pack from whence he came after his surprise victory in the Iowa caucuses. And it virtually decimated the challenges by Kansas Senator Robert Dole, Illinois Republican Philip Crane and Texan John Connally, whose combined votes hit just 5,486, or 3.8 percent of the total.

While New Hampshire launched Reagan's offensive, it nearly buried the presidential aspirations of another California governor, Jerry Brown. After going through the motions in the Massachusetts primary, Brown must now await a Lazarus-like resurrection in Wisconsin on April 1st. If that fails, he may withdraw to avoid the humiliation of a pitiful showing in his own state on June 3rd.

The debate factor

The Reagan landslide over Bush caught by surprise the hundreds of reporters, pundits and pollsters flooding this tiny state the final week of the campaign. They paid much attention to the "Saturday Night Massacre" in Nashua, in which Bush refused to allow Dole, Crane, Anderson and Baker to join his debate with Reagan. But the Reagan resurgence and Bush disintegration was a broader phenomenon; the Nashua "debate" was only the most dramatic part of it.

Largely overlooked by Bush after Iowa was the reality that the first round of casting actual ballots on presidential aspirants occurs in the bedrock conservative turf of the New Hampshire Republican Party. Reagan's win came from the anti-big government, anti-abortion, anti-Communist, anti-gun control conservative constituency. With the exception of John Anderson, all of the Republican hopefuls had the opportunity to grab the conservative banner. But none had carried it farther, higher or longer than Reagan had.

Charles Brereton, formerly of Santa Barbara, is a free-lance writer in Concord, New Hampshire.

The Reagan campaign was aided in no small measure by the unremitting editorial and reportorial support of the *Manchester Union Leader*, the only statewide daily paper and also the only Sunday paper. The *Union Leader* is well-known throughout the land for its slanted campaign coverage and its cantankerous publisher, William Loeb, whose trademark is acerbic front-page editorials. Loeb's influence is probably overrated by the media army that inundates the state every four years. In 28 years of presidential primary voting, Reagan's win is only Loeb's second winner. Richard Nixon's TKO of Michigan Governor George Romney in 1968 was his first.

While constantly boosting Reagan, Loeb focused much of his negative firepower on Bush, with a frequent aside to attack Senator Edward Kennedy, since Loeb's disdain for the Kennedy clan goes back decades. The evidence is now clear that the decline of Bush started weeks before the vote, and the Nashua debacle merely sealed his doom. The complaint was made that "the Bush campaign was his resumé," a charge that the former CIA director was failing to define his stands forcefully or carefully enough, and his early strength seemed to evaporate once Reagan and Anderson staked out firm positions to his right and left respectively. Bush's support wasn't broad enough to withstand a barrage of negative national and state press coverage.

It was a resumé and background left largely unchallenged until the *Los Angeles Times - Washington Post* News Service broke the news on Febraury 7th that Bush had been the recipient of an illegal $106,000 contribution to his Texas sen-

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atorial effort in 1970. All the negative attention of a "Nixon connection" for Bush stood in sharp contrast to the free ride Reagan was enjoying. This time around, George Bush was the hunted man, turning cautious and defensive, while Reagan's well-organized campaign gathered steam. The contest would have proved a close one if the Anderson and Baker efforts had collapsed like those of Dole, Crane and Connally, thus giving Bush greater support among moderates and liberals.

The debate in Nashua the Saturday night before the vote will enter the political lore of the nation as did the famous emotional outburst by Maine Senator Edmund Muskie on a flatbed truck in front of the *Union Leader* one snowy February morning prior to the 1972 primary. Since the debate wasn't televised live, the refusal of Bush and the debate's sponsor, the *Nashua Telegraph*, not to allow an expansion from the original two-man format started out as inside baseball. But it was quickly seized on by the media army as the climatic event, and clips of it were on virtually all the subsequent newscasts of the election.

The often-repeated scene of an angry Reagan telling the moderator (who was Ford's press aide in the last primary here and who is now an editor of the *Telegraph*) not to shut him off: "I am paying for this microphone, Mr. Breen," became the campaign's most effective television spot.

The event reinforced the belief of some that Bush was an elitist snob (Loeb in one editorial belittled Bush's supporters as the "clean-fingernail" types) who had violated the Yankee standard of fair play by excluding the others. Bush compounded the disaster by taking off for Houston, where he spent much of the next two days lounging around, jogging and steadfastly refusing to admit he'd blown it in Nashua. Reagan in 1976 left the state the day before the vote to stump in Illinois. His advisers didn't make that mistake again. This time Reagan stayed right through, riding the crest of a wave enhanced by his performance in Nashua.

The biggest loser

The biggest loser of all was Governor Jerry Brown. His campaign was as complete and long-running a disaster as ever has been seen in New Hampshire. He failed to improve on his 13.8 percent performance in the Maine caucus; Brown got just 9.7 in New Hampshire. He barely exceeded the 6.1 percent total that then-Los Angeles Mayor Samuel Yorty won in the 1972 primary, and he failed to qualify for any convention delegates. By his weak performance, he also placed in jeopardy his eligibility for federal matching funds.

His drive never recovered from the "meltdown" that occurred the night of April 2nd, 1979, when he traveled all the way across the country for the sole purpose of testifying before a joint legislative committee in support of a resolution favoring a constitutional amendment requiring a balanced federal budget.

Brown — with no advance person sent in and with only one aide at his side — completely misjudged the situation and was caught in a vicious crossfire between Democratic and Republican legislative leaders. The successful effort to humiliate Brown was orchestrated by colorful House Minority Leader Chris Spirou, and Brown departed without testifying, badly rattled and embarrased.

Like the Nashua debate, the Brown incident started out as inside stuff, but word of Brown's shaky and ill-prepared performance soon moved around the state. The message was clear to Democratic activists that Brown had been tested for his strength of character, resolve and ability to prepare himself and had been found badly wanting.

Harry Spanos, the 1976 Democratic gubernatorial nominee and now a state legislative leader, observed Brown that night and his assessment was: "It showed a lack of leadership and a lack of understanding of the democratic process, and it indicated to me an absolute lack of ability to lead the nation if by some chance he ever wound up in the White House."

Brown's organization suffered from a continual turnover of local people trying to offer advice and guidance. Brown said at one point, "I don't expect a lot of endorsements from what I call the political poohbahs. I get a limited testimonial from that quarter."

What he never realized was the fact that New Hampshire, especially its Democratic Party, is a power vacuum. Hundreds of young people have moved from their involvement in the McCarthy, McGovern and Udall presidential primary efforts into positions of leadership — they are "poohbahs," as Brown would put it. His organization, lacking any substantial local involvement, never jelled.

His trips were hastily arranged and poorly promoted, but still they managed to be well-attended. This can be attributed to Brown's celebrity status. But his cool, aloof, stream-of-conciousness, "vote-for-me-or-we're-doomed" pitch never caught fire. Once publisher Loeb had taken Brown to editorial task for his controversial policies and appointments in California, the remote chance Brown had of appealing to the conservative Democratic voters with his tax limitation advocacy was doomed.

Kennedy's prospects

That left as Brown's single issue his now-strident opposition to nuclear power. The anti-nuclear power people — locked in a David-versus-Goliath struggle against the Seabrook nuclear power plant on the New Hampshire seacoast — have formed a protest movement that is not hooked up with electoral campaigns in any meaningful way. The grassroots army for Brown never materialized. This was partly due to Brown's lack of leadership, and also partly due to the voters' lack of faith that he was presidential timber.

Brown, who failed to request a recount to see if he could capture the delegate he narrowly missed out on, found New Hampshire not to be the launching pad toward the nomination that many others have discovered it to be. His increasingly bleak prospects for a serious national campaign require the withdrawal of Senator Kennedy. That's highly unlikely after Kennedy's landslide triumph on March 4th in his home state. That was a showing that Brown won't be able to duplicate in California on June 3rd, given his present lack of approval in his home state.

Kennedy's prospects will be enhanced if the economic woes and foreign blunders of the Carter Administration accelerate. But he'll be burdened in the months to come with the awareness that John Kennedy had a complete lock on New England's 114 delegates at the 1960 convention, while this Kennedy could win only 96 to Carter's 56 delegates in Maine, New Hampshire and Massachusetts.

Brown's next primary target is Wisconsin on April 1st; he'll be skipping all the others until then. There he will confront the meteoric rise of John Anderson, who can be expected to attract thousands of Democratic and independent votes. Wisconsin's open format — any registered voter may participate in either party primary — is tailor-made for Anderson's independent appeal. As the primaries move mostly west and south, it is possible that no Republican will command a majority of delegates in enough of the contests. Then the chances of a multi-ballot convention will increase. The last one for the GOP was in 1948, when Thomas Dewey won on the third ballot. If a deadlock occurs, that may present Ford with a chance to sell himself as a unity candidate, now that he will not seek the presidency in primary combat.

If that pattern does develop in the tests in April, May and June, the California winner-take-all primary controlling 168 Republican delegates may be as important at the end of the primary ordeal as New Hampshire was at the beginning.

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Oil-tax initiative campaign: most expensive in state's history?

By MAUREEN FITZGERALD

California voters have not been pulling any punches when presented with the opportunity to sock it to government. Will Californians respond the same way on June 3rd, when they will have a chance to land a haymaker on the corporate solar plexus as well? Specifically, the state primary ballot will contain a proposed initiative statute that would levy a special surtax on the California profits of firms heavily into the oil, natural gas, coal or uranium business. The theme of the campaign on behalf of the measure, Proposition 11, is "Tax Big Oil." And the tax would hardly be negligible. For affected companies, it would more than double California's 9.6 percent corporate tax rate to 19.6 percent, the highest in the country.

Will citizens, angered by skyrocketing gasoline prices, jump at the opportunity to punish the petroleum industry? Or will they believe that the new tax will merely be passed on to the consumers, even though the initiative says the industry can't do so? Are Californians mad enough at the oil companies to sock them with the highest state tax in the land on top of the new federal windfall-profits tax?

Proposition 11 was spawned in the executive offices of state government, and the drive to qualify the plan for the ballot was directed by Bill Press, former director of the state Office of Planning and Research. His group calls itself the California Oil Profits Coalition and has the support of the Sierra Club, the League of Women Voters and the California Tax Reform Association.

How it would work

In essence, here is how the tax would work: The 10 percent surtax would apply to all oil and gas companies with worldwide profits of at least $10 million. It would not apply to companies with net income below $5 million, and there would be a sliding scale between $5 million and $10 million. Under California's unitary tax system, the surtax would be levied on all of a company's California income, including non-energy operations. There would be a 50-cent credit for every dollar spent in California to increase production or refining of oil or gas over 1978 levels. It is estimated that the levy would raise between $300 million and $420 million the first year. All proceeds would go into a special fund to pay for the development of so-called alternate fuels and to improve mass transit in the state.

Press says the measure has three main goals — to provide incentives for the development of new fuels, to provide significant aid to transit operators, and to educate the public as to the need for energy conservation. He says the campaign centers on one issue which he describes as "corporate greed." He argues that the tax is a drop in the oil well compared to corporate savings under Proposition 13 and the enormous wealth being accumulated as a result of the decontrol of oil prices.

Maureen Fitzgerald is the director of a "Citizen Democracy" research project being conducted by the Journal *with the assistance of a grant from the Ford Foundation.*

SACRAMENTO BEE PHOTO BY MICHAEL WILLIAMSON

The banned-in-Sacramento commercial

About $200,000 was spent to qualify the measure for the ballot, and many signatures were obtained by unpaid volunteers. The campaign left a deficit of $50,000, which must be erased before Press can start to work on his goal of $675,000 for a media campaign. The drive obtained some free publicity when some Sacramento televison stations refused to run commercials showing pigs at a trough with the words "Tax pig oil" and a telephone number. The pig theme will be used in the campaign to pass the statute.

The Press campaign figures to run on low-octane gas, compared to the opposition effort by Californians for Fair Taxation. This organization, consisting of the major petroleum corporations and some independent oil producers, has hired the high-riding campaign firm of Woodward, McDowell and Larson to handle the campaign. The measure is opposed by the California Manufacturers Association and the California Taxpayers Association in addition to the oil industry. (Woodward, McDowell and Larson handled the campaign against the no-smoking initiative two years ago, and they are managing the rent measure on the June 3rd ballot.)

How much will the oil companies spend to defeat Proposition 11? Campaign spokesman Jack McDowell refuses to talk numbers, but there have been estimates running from $3.5 million to $10 million. The anti-11 campaign could be the most expensive in the state's history, topping the $6.2 million

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Outline of Proposition 11

Here are the main provisions of the proposed oil-tax initiative statute (not a constitutional amendment), Proposition 11 on the June 3rd ballot:

- Levies a 10 percent surtax (in addition to the present 9.6 percent state corporation tax) on the California profits of energy companies, except public utilities.
- Applies to firms with at least 50 percent of sales from the obtaining, processing, distributing or marketing of oil, natural gas, coal or uranium.
- Excludes the first $5 million of worldwide income from the tax. Firms with at least $10 million in profits would pay the maximum 10-percent surtax on net income from any California operations. Those corporations earning between $5 and $10 million would pay on a graduated scale.
- Provides a 50 percent credit against tax for dollars invested in California for the increased production or refining of crude oil or gas over 1978 levels.
- Deposits proceeds in the new state Transportation Planning and Development Account to finance improved mass-transit service and development of alternative fuels for vehicles.
- Permits the Legislature, by two-thirds vote, to strengthen the act (but not weaken it).
- Prohibits companies from passing the surtax on to the consumer.
- Initiates the tax in any income year commencing on or after January 1st, 1980.

campaign against the no-smoking measure. McDowell said the campaign will focus on the adverse effect of the measure on California energy production, and the fact that it will tax non-energy operations of some corporations.

Even $10 million might not be enough to erase the adverse image the oil companies now have with the motoring public. The oil firms claim they need substantially increased profits so that they can obtain the capital to develop new sources of fuel. Press claims that the oil-company campaign will be self-defeating, that the more these corporations protest, the more votes they will promote for the initiative. This is because the public will become incensed, Press says, at the outrageous amount of money being spent to protect outrageous profits.

Basic questions

Opponents have raised numerous issues about the draftsmanship of the proposition. For example, the initiative says that the surtax should apply to "business income" from California sources. Last year, the legislative counsel issued an opinion that the tax would apply to gross income — sales, not profits. But the counsel has subsequently come to the conclusion that the tax would apply only to profits. A 10 percent tax on gross would undoubtedly be thrown out by the courts as confiscatory. There is also confusion on how the 50-cent credit on new production should be applied. What is the 1978 base level? The measure calls for separate state agencies, the Energy Commission and the Department of Conservation's Division of Oil and Gas, to certify increases in investment. But neither organization has any experience in these matters. There are also questions about the definition of increased production or refinery capacity. Would a new pipeline qualify?

But there is a much larger issue: Is Proposition 11 designed primarily to provide additional money for mass-transit service in California? Or is it to provide a fiscal incentive for companies to increase the production of gasoline in the state? And don't these goals contradict each other?

If voters approve the proposition, the Legislature will have to get into the act rapidly. The measure says that tax credits may be allowed for the 1979 tax year under rules adopted by a two-thirds vote of the Legislature. The Legislature is allowed to strengthen the measure but not weaken it. What does that mean? Press says a key issue would be whether a proposal increased or decreased anticipated state income.

Here are some other issues raised by the measure:

- ***Alternate energy.*** The proposition specifically excludes so-called alternative sources of energy such as wind, geothermal and biomass. Yet the state's biggest geothermal producer is Union Oil. And under this measure, Union's geothermal profits would be subject to the tax.
- ***Diversified companies.*** Although the measure is aimed at oil companies, it could affect firms with virtually no energy operations in the state. The Union Pacific Railroad, for example, is heavily into fossil fuels. Will the measure encourage companies to move their non-oil operations out of California?
- ***Business climate.*** The surtax obviously will not be an incentive for firms to move into California or expand here. In addition, there are those in the business community who fear that enactment of Proposition 11 would trigger other anti-business legislation, especially the plan that would establish a separate property tax system for business property (the so-called split-roll concept).
- ***Discrimination.*** The opponents claim that Proposition 11 unfairly discriminates against one type of business.
- ***Vote requirement.*** Under the Jarvis-Gann initiative approved two years ago, it takes a two-thirds vote for the Legislature or a community to approve any tax increase. This plan would go into effect with only a simple majority.
- ***Small business.*** Joe Shell, lobbyist for smaller oil producers, claims that the $5 million exclusion provides a disincentive for companies to grow. In addition, the smaller oil producers, who are under $5 million in profits, would therefore not be eligible for the 50 percent tax credits, and it has been these firms that have done most of the drilling in recent years within the state.
- ***Investment funds.*** The opponents argue that the tax will reduce capital needed for exploration and development, despite the credit. Press contends that company profits have not been going into exploration but rather into diverse ventures, including department stores and newspapers.
- ***Profitability.*** The Oil Profits Coalition contends that the large oil firms have been making excessive profits. Opposition spokesman McDowell counters with data showing that other industries, such as drug manufacturers, cosmetic firms and soft-drink companies, have higher profits. Based on sales, McDowell adds, the five largest oil companies made less money last year (4.9 percent) than such corporations as General Motors, IBM, U.S. Steel, General Electric and Dow Chemical (5.8 percent).
- ***Oil production.*** Will passage of the initiative increase or decrease crude oil production in California? Press feels the measure gives companies an incentive to drill. McDowell argues that Proposition 11 would be only one of many factors affecting production.

But how much attention will the voters pay to arguments over legal technicalities and economic theories? Those supporting the measure have the rapid increase in pump prices and oil-company profits working in their favor. If the measure is to be defeated, McDowell must come up with a campaign that will somehow convince California motorists that they are not being ripped off and that oil companies are solid citizens in California.

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Significant Court Actions

The right to a speedy trial

The California Constitution guarantees defendants in criminal cases the right to a speedy trial. A state law implementing that provision grants felony defendants dismissals if they are not brought to trial within 60 days after being charged, unless they waive that right or there is "good cause." In a far-reaching 4-3 decision, the state Supreme Court has ruled that the 60-day rule cannot be cast aside because of crowded court calendars or overburdened defense attorneys.

In *People v. Raymond Johnson,* the court majority found that defense lawyers cannot waive the 60-day provision over the defendant's objection because they have other clients to serve first. Wrote Justice Mathew O. Tobriner for the majority: "The state is in no position to deny a defendant his right to a speedy trial because the state is unable to provide counsel who can bring the case to trial within statutory limits . . . The state must be a model of compliance with its own precepts." He was joined by Chief Justice Rose Bird and Justices Stanley Mosk and Frank Newman.

The three dissenters warned that a significant number of cases would be dismissed as a result of the "shock effect" from this case. Writing for himself and Justices Wiliam P. Clark and Wiley Manuel, Justice Frank Richardson emphasized that the implications of the majority ruling would be "unpredictable and could well prove devastating." The minority said defendants might now refuse to plea bargain in the hope they could win dismissals, and unprepared attorneys might be forced to try cases.

Tobriner said that it will be up to trial judges to determine when cases can be delayed for good cause, but he pointed out that there is a difference between "exceptional circumstances" and "chronic conditions" of crowded courts.

In another 4-3 decision, the state Supreme Court ruled that tidelands property sold under an 1870 act of the Legislature but not filled or improved still are subject to public trust for public commerce, navigation and fishing use. In previous decisions, the court had held that these grants were not subject to the rights of the public. "We conclude that these decisions were erroneous and must be overturned," wrote Mosk for the majority in *City of Berkeley v. Superior Court.* Added Mosk: "The economic loss to the grantees of such lots is speculative at best and is clearly outweighed by the interests of the public." He was joined by Bird, Tobriner and Newman.

The dissenters — Clark, Richardson and Manuel — said that Californians have relied on trust-free title of the lands for over 100 years, and it is "presumptuous" of the majority to say that was not what the Legislature intended.

There was no such division in the United States Supreme Court over decisions of California courts striking down fair-trade laws for alcoholic beverages. By an 8-0 vote, the high court found that the establishment of minimum prices is an illegal restraint of trade. Attorney General George Deukmejian had filed a brief urging that the fair-trade laws be upheld.

Newsmakers

Green waves on the South Coast

Three members of the Southern California regional coastal commission solicited about $200,000 in campaign contributions from individuals with applications before the commission, the *Los Angeles Times* reported. The commissioners are **Arthur K. Snyder,** a Los Angeles city councilman; Mayor **Elerth S. Erickson** of Garden Grove, and Councilman **Donald E. Wilson** of Torrance. The *Times* said a fourth commissioner — **R. James Walsh,** aide to state Senator Paul Carpenter — said he "taps" applicants for contributions after voting for their projects . . . A Superior Court in Los Angeles ruled that former Los Angeles police chief **Ed Davis** can run for the state Senate even though he failed to file his nomination papers in time . . . Assemblyman **Bill McVittie** of Chino was appointed to the Los Angeles Superior Court bench by Governor Brown.

The state Commission on Judicial Appointments approved the nomination of **Bernard S. Jefferson** as presiding justice of the Second Appellate District in Los Angeles . . . An Oakland judge ordered the salary of Appellate Justice **John Miller** attached for one month for the payment of support to his former wife . . . Berkeley-Albany Municipal Judge **Mario Barsotti** faces possible recall June 3rd as a result of a dispute over the eviction of tenants from a Berkeley house. The White Panther Party is spearheading the campaign against the judge . . . **William A. Norris,** 1974 Democratic candidate for attorney general, was nominated by President Carter to serve as a federal Appeals Court judge . . . The state Supreme Court appointed **Laurence P. Gill,** former deputy clerk of the United States Supreme Court, as clerk of the court.

Former Attorney General **Evelle J. Younger** filed suit to triple his state pension . . . A legislative ethics committee cleared state Senator **John A. Nejedly** of wrongdoing in the blocking of mining permits adjacent to property he owns in Sierra County . . . Real estate lobbyists **Dugald Gillies** and **Jack Shelby** were each fined $2,500 for failure to file financial disclosure reports on time. The penalties are the largest ever levied on lobbyists by the state Fair Political Practices Commission.

Law professor **Ira Michael Heyman** was appointed chancellor of the University of California's Berkeley campus. He succeeds **Albert H. Bowker,** who was appointed assistant secretary of education by President Carter . . . Rural senators indicated they would oppose the appointment of **Ralph Faust** to the Agricultural Labor Relations Board. Faust is now executive secretary of the ALRB . . . Other Brown appointments: **LeRoy Chatfield** of Sacramento, to the Alcoholic Beverage Control Appeals Board . . . Filmmaker **Francis Ford Coppola** of Rutherford, to the Arts Council seat vacated by **Jane Fonda** . . . **Linda Tsao Yang** of Davis, state savings and loan commissioner . . . **Melinda C. Luedtke** of Sacramento, director of the department of economics and business development.

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CHARTING THE LEGISLATURE

The following is a list of significant bills pending before the Legislature in mid-March.

SUBJECT	BILLS	DESCRIPTION	STATUS
ABORTION	SB 1814 (Schmitz) AB 2956 (Nolan)	Requires unmarried minor to obtain the consent of her parents or guardian or a court order prior to undergoing an abortion.	*SB 1814 is in the Senate Judiciary Committee. AB 2956 is in the Assembly Health Committee.*
AGRICULTURAL LABOR	SB 584 (Vuich)	Prohibits agricultural employers and farmworker unions from discriminating against an employee for refusing to become a union member.	*In Senate for concurrence in Assembly amendments.*
CRIMINAL JUSTICE	SB 1818 (Sieroty)	Authorizes police to use less lethal weapons in the performance of their duties so as to avoid killing or permanently injuring persons committing crimes.	*Senate Judiciary Committee.*
	AB 2809 (M. Waters)	Requires cities and counties to create citizen review boards for local police departments.	*Assembly Local Government Committee.*
EDUCATION	AB 2400 (Mangers) SB 220 (Johnson) SB 1232 (Russell) AB 812 (Chacon)	All of these measures substantially revise state bilingual education programs.	*AB 2400, SB 220, and SB 1232 are pending in the Assembly Education Committee. AB 812 is in the Senate Education Committee.*
ELECTIONS	SB 599 (Robbins)	Calls special election to be consolidated with the June primary election to pose an advisory question to voters on the burden of proof in school segregation cases involving busing.	*Assembly Elections and Reapportionment Committee.*
GOVERNMENT SPENDING	SCR 57 (M. Garcia)	Declares legislative intent to limit state spending for fiscal year 1980-81 to $22.3 billion.	*Senate Revenue and Taxation Committee.*
HEALTH	SB 1480 (Campbell)	Legalizes the dispensing of laetrile and amygdalin for the treatment of cancer.	*Senate Health and Welfare Committee.*
	SB 1829 (Keene)	Provides for the licensing of midwives.	*Senate Business and Professions Committee.*
JUDGES	SCA 35 (Russell) ACA 67 (Wyman)	Constitutional amendments requiring Senate confirmation of the governor's appointments to appellate, municipal and superior courts, limiting the governor's power to fill judicial vacancies, and reducing the terms of appellate justices.	*SCA 35 is in the Senate Judiciary Committee. ACA 67 is in the Assembly Judiciary Committee.*
	ACA 73 (Johnson)	Constitutional amendment requiring nominees for the state Supreme Court to have at least five years of judicial experience.	*Assembly Judiciary Committee.*
LOCAL GOVERNMENT	AB 2066 (Filante)	Authorizes local governments to levy special taxes for the support of police and fire services.	*Assembly Ways and Means Committee.*
PENSIONS	AB 1879 (Hallett)	Provides that pension benefits paid to retired public officials shall not exceed the amount of their salary while in office.	*On Senate floor.*
PROPERTY TAX	ACA 36 (Kapiloff)	Constitutional amendment to exempt the full value of a residence from property taxes.	*Assembly Revenue and Taxation Committee.*
PROPOSITION 9	SB 1464 (Campbell)	Provides for statutory implementation of Proposition 9 on the June 1980 ballot, which would reduce income tax rates by 50%. Reduces first-year impact of the initiative about $1.5 billion.	*Senate Revenue and Taxation Committee.*
	AB 3032 (Leonard)	Contingent upon voter approval of Proposition 9, repeals annual cost-of-living increases for welfare recipients, Medi-Cal providers, retired teachers, public employees, and various educational programs.	*Assembly Ways and Means Committee.*
WELFARE	ACA 75 (Lockyer)	Constitutional amendment requiring all persons receiving public assistance to be gainfully employed to the extent they are capable and that work is available.	*Assembly Human Resources Committee.*
	SB 1801 (Wilson)	Repeals annual cost-of-living increases for recipients of Aid to Families With Dependent Children.	*Senate Health and Welfare Committee.*

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The battle of the budget

By Leo Rennert

The budget-cutting fever on both ends of Pennsylvania Avenue will put a new squeeze on local and state governments in California just when they're bracing for Howard Jarvis' latest revenue-slashing measure. While all the details aren't in yet, President Carter's decision to balance the 1981 budget will reduce the flow of federal funds to California by at least $1.5 billion. The lion's share of these cuts will have to be absorbed by cities, counties, school districts, public institutions of higher learning and the state treasury. After playing Santa Claus for years, Uncle Sam is turning into Scrooge.

TWO YEARS AGO, when Proposition 13 sent shock waves through California's public-sector establishment, there was a brief effort among the state's lawmakers on Capitol Hill to organize a rescue mission. Democratic Senator Alan Cranston drafted a federal bailout plan and the delegation mobilized to cushion the impact. It didn't come to much, but at least the attempt was made. Today, that kind of concern has disappeared almost completely. Politically, it's everybody for himself. To ride out the inflation panic, Carter and Congress are quite prepared to dump the burden on mayors and governors. Revenue-sharing is being converted into misery-sharing.

For his part, Governor Brown didn't lift a finger to attenuate the federal budgetary blows that now may befall his state. Brown was too busy campaigning in Wisconsin. And besides, he's the original Democratic apostle of a balanced-budget theology. Even in the best of times, the governor paid scant attention to the nitty-gritty of federal spending policies. These days, he's become so estranged from the movers and shakers in Washington that the lines of communication are just nonexistent. He has no use for them and they have no use for him.

The first casualty of Carter's budget cuts was revenue-sharing for the states, including California's $256 million-a-year portion. Other highly vulnerable targets include grants for federally impacted schools, waste treatment plants, airport development, mass transit, scientific research, welfare reform, medical training, public service jobs, youth employment, highway construction and acquisition of parklands.

Concern among local and state officials that Jarvis II might deprive them of revenues for federal matching programs may be lessened by the realization that many of their Washington patrons are also losing their funds. The California Conservation Corps, one of Brown's showcase projects, could turn out to be a prime example of this double-whammy effect. The U.S. Labor Department supplies about 25 percent of the CCC's $30 million budget. "We may not be able to survive Jarvis II and these federal budget cuts," warned Corps Director B. T. Collins during a recent Washington visit.

California college students also may soon be getting it from both directions — hefty tuition payments from Jarvis II and student loans that will be more difficult to obtain and more expensive as a result of Carter's anti-inflation package.

The new economic-policy battles have produced strange turnabouts in both parties. Democrats are leading the fight against budget deficits, while Republicans want to get the economy moving again with massive tax cuts — even at the risk of further unbalancing the budget. Democrats are offering an austere diet; the GOP menu is full of calories. Old-time liberals and the Black Caucus are fighting a losing rear-guard action in the Democratic Party to save social programs. Veteran Congressman Augustus Hawkins of Los Angeles accuses fellow Democrats of adopting Hooverism and inviting a recession. The 72-year-old black lawmaker, who started in the state Legislature in the days of the Great Depression, is sounding the alarm at the Democratic delegation's weekly breakfasts. But his younger colleagues just smile and go the other way. The new crop of Democrats — post-Watergate, post-Vietnam, post-Lyndon Johnson — is tired of the New Deal, tired of the Great Society; tired, in fact, of any grander vision than re-election. Privately, they agree with Hawkins that cutting the budget will hurt poor people without curing inflation. Publicly, they dare not go against the tide. The Humphrey-Hawkins Full Employment Act has been consigned to the dustbin — by a Democratic president and a Democratic Congress. Hawkins says he feels closer to GOP conservatives like New York's Jack Kemp than to many Democrats because the new-breed Republicans at least believe in immediate action to stimulate economic growth.

Gus Hawkins' confession of political kinship with Jack Kemp, a key economic-policy adviser to Ronald Reagan, isn't the only example of topsy-turvy patterns on Capitol Hill. As Senate majority whip, Alan Cranston worked closely with the White House and other congressional leaders in shaping Carter's anti-inflation strategy. Cranston, the old liberal running for re-election this year, has become an enthusiastic, born-again budget balancer. He still offers a few rhetorical sops to the left, but his real moves are to the right — a bigger defense budget, more tax breaks for business, cuts in domestic programs. At one point, Cranston even joined forces with some administration officials in pushing a plan to scale back Social Security benefit increases. The White House, aware of the voting power of old folks, thought better of it and junked it. But while it was under discussion, Cranston said he saw no reason to boost Social Security payments at a faster clip than the actual rate of inflation. All this prompted Arizona Senator Barry Goldwater to issue a ringing denunciation of the Democrats' "callous scheme for penalizing the elderly in America." Who could have predicted that Barry Goldwater, of all people, would step forward to protect senior citizens from a budget knife wielded by Alan Cranston?

AT THIS RATE, TAX-CUT CRUSADER Paul Gann may have to revise his assessment that he'll have a lock on the anti-spending issue in challenging Cranston this year. There are not many Democrats who can position themselves so happily to the right of Goldwater. But Cranston, a track star who also knows how to do a few political sprints, has managed it.

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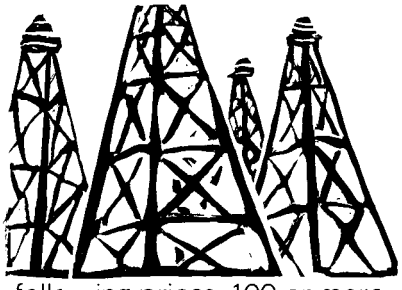
Facts, figures and arguments on the Jarvis II initiative



How should you vote on Howard Jarvis' new initiative on the June 3rd ballot? Should you vote in favor of Proposition 9 and cut your state income taxes in half? Or should you vote against Jaws II so that major cuts in governmental services will not be necessary?

And how should you vote on two other initiatives involving major economic issues? Proposition 10 is designed to curtail rent control, and Proposition 11 would levy a large new tax on major oil companies.

We won't tell you how to vote on these measures, or on the eight others on the June ballot, but we'll make it much easier for you to make up your mind. All you have to do is read the **Journal's** ballot-proposition pamphlet available now from the **California Journal Press.** (The pamphlet will be included in next month's **Journal.**) The booklet gives you background on all measures, the arguments on both sides of each issue and scenarios for what might happen should the Jarvis measure be enacted.

The special report is available as a separate item at the following prices: 100 or more copies, 30 cents each; 11 - 99 copies, 40 cents each; 2 - 10 copies, 60 cents each; single copy, $1. Please add 6 percent sales tax to all but single copy orders. Postage and handling are free on prepaid, Visa and Master Charge orders. Send orders to the **California Journal Press,** 1617 10th St., Sacramento 95814.

Because of the extraordinary interest in the Jarvis initiative, we expect an especially heavy demand for these pamphlets. We suggest that you order now to assure an adequate supply.

There's no reason why a woman shouldn't be in the White House as president, if she wants to be. But she'll be sorry when she gets there.

— Harry S Truman

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